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## Letter dated 26 June 2007 from the Secretary-General to the President of the Security Council

I have the honour to refer to my report of 14 March 2007 (S/2007/147) on the implementation of Security Council resolution 1701 (2006). In its presidential statement of 17 April 2007 (S/PRST/2007/12), the Security Council endorsed my suggestion to evaluate the situation along the entire Lebanese-Syrian border and invited me "to dispatch at the earliest, in close liaison with the Lebanese Government, an independent assessment mission to fully assess the monitoring of the border ... and to report back to the Council ... on its findings and recommendations in this regard".

As I informed the President of the Security Council in my letter dated 23 May 2007, I decided to establish such a mission, referred to as the Lebanon Independent Border Assessment Team. I have received the mission report from the Team leader, Lasse Christensen (Denmark). I fully support its recommendations and will provide further substantive comments in my next report on the implementation of resolution 1701 (2006).

In the meantime, I have the honour to attach the mission report and should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

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# Report of the Lebanon Independent Border Assessment Team

## Summary

By paragraph 14 of its resolution 1701 (2006), the Security Council called upon the Government of Lebanon to secure its borders and all entry points to prevent the entry into Lebanon without its consent of arms or related materiel. At the request of the Government of Lebanon a United Nations team of border police experts was dispatched to Lebanon in September 2006 and February 2007 to assess the situation along the border and provide the Security Council with its findings and recommendations. By its presidential statement of 17 April 2007 (S/PRST/2007/12), the Council invited the Secretary-General to dispatch at the earliest, in close liaison with the Government of Lebanon, an independent mission to fully assess the monitoring of the border and to report back to the Council on its findings and recommendations in that regard.

The United Nations Lebanon Independent Border Assessment Team visited Lebanon from 27 May to 15 June 2007. The Team worked in close cooperation with the Government of Lebanon and border security authorities and received unimpeded support in its efforts to assess all aspects of Lebanese border security with special emphasis on preventive measures against arms smuggling. The Team held talks with Government officials and the directors of the four agencies directly involved in border security management: the Lebanese Armed Forces, General Security, the Internal Security Force and General Customs.

All four land border crossing points and another one to be made operational in July 2007 were visited as well as the international airport of Beirut and the Beirut seaport. A number of locations along the "Green Border" with the Syrian Arab Republic were visited in order to assess the diverse conditions of the border, including the different forms of terrain, the extraordinary conditions created by the Palestinian cross-border military strongholds and areas affected by border delineation disputes.

The Team observed during talks and field visits that the level of cooperation and coordination, particularly in terms of inter-agency information sharing and joint planning, was rather low. As a natural result of the long period in which there was no traditional land border and consequently very limited border security management, the four agencies have acquired little experience or expertise in this domain. One example is the deployment of forces along the Green Border, where observation posts and checkpoints appear to be operated according to traditional military doctrines and aimed more at territorial defence than the establishment of border surveillance to prevent smuggling.

The design and layout of the border crossing points do not fully meet the requirements of a controlled area designated for border security activities. In addition, there is a lack of prescribed procedures for the activities related to a border crossing point, resulting in an unregulated flow of passengers, vehicles and cargo within the facilities.

Training in traditional border security skills would provide the agencies involved with the necessary know-how to reverse or remedy these conditions.

The Team found widespread professional will to secure the borders of Lebanon. It also found that the border security agencies had introduced some measures to improve border management efficiency, utilizing the previous United Nations assessment teams' recommendations, the bilateral assistance provided by the Government of Germany and the equipment donated by other nations.

However, the Team also assessed that the present state of border security was insufficient to prevent smuggling, in particular the smuggling of arms, to any significant extent. The assessment was further strengthened by the fact that not a single on-border or near-border seizure of smuggled arms was documented to the Team.

There is still substantial room for improvement in Lebanese border security management, some of which can only be achieved through assistance and support from the international community.

It is, however, also worth pointing out that a number of recommendations from earlier assessments as well as the current can be implemented by the Lebanese authorities on their own without significant financial implications and without changes in the organizational structure of the border management agencies.

On the basis of its observations, assessment and conclusions, the Team presents the following recommendations:

(a) A multi-agency mobile force focusing on arms smuggling should be established with the purpose of ensuring efficient arms seizures through its intelligence and rapid interception capabilities. An additional purpose would be to serve as a role model for the other border security agencies and as a platform for a possible future dedicated border guard agency;

(b) An intelligence and analysis component should be established within the multi-agency unit with the purpose of gaining access to all relevant intelligence from the four agencies, analysing it and providing the four agencies and the multi-agency force with targets identified as highly susceptible to apprehension;

(c) International border security experts should be deployed to the multi-agency unit and its embedded intelligence and analysis cell; to all four agencies on all levels, in particular on the operational level, to advise on non-military border security aspects and follow up on the training provided; and to an advisory secretariat consisting of both international advisers and representatives from the Lebanese border security agencies;

(d) A dedicated border guard agency should be established as part of a long-term strategy to streamline border security procedures and gather all expertise, information and intelligence in one agency;

(e) Full and absolute control should be established over border crossing points by creating standard operating procedures, including regulations for any movement inside the control area of persons, vehicles and goods, standardized compulsory measures for checking compliance and anti-corruption mechanisms; and by modifying the infrastructures where appropriate;

(f) Measures should be instituted to separate legal and illegal near-border or border-crossing activities so as to create a transparent and unambiguous environment, such as restricting movements in some areas, marking the borderline,

establishing additional local border crossing points, relocating crossing points to the borderline and providing socio-economic programmes as an alternative to families' reliance on smuggling;

(g) Training programmes should be established for the four agencies at all levels to transform the border security concept and doctrines into a highly professional and skilled civilian approach, where possible building on or drawing from the training experience of the northern border pilot project and implementing practical aspects of the internationally agreed integrated border management concept relating to cooperation and coordination, intelligence gathering, technical and tactical skills and risk analysis;

(h) The provision of border-specific equipment to all agencies should be enhanced for the purpose of increasing efficiency and serving as a force multiplier, including air and land surveillance equipment, communications equipment, vehicles, scanners, other inspection devices and all required computer hardware and software;

(i) Cooperation with Syrian counterparts should be established, in particular at the operational level, making border security management a joint effort to secure the border and prevent illegal cross-border activities.

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# I. Background

1. Security Council resolution 1701 (2006) of 11 August 2006 marked an end to the war between Israel and Lebanon that had erupted on 12 July 2006 as a result of the kidnapping of two Israeli soldiers by Hizbullah. A ceasefire came into place on 14 August, 33 days after the start of the war. The resolution called for the withdrawal of Israeli forces, the observance of a ceasefire, the deployment of the Lebanese Armed Forces south of the Litani River and the strengthening of the mandate of the United Nations Interim Force in Lebanon (UNIFIL).

2. Several components of resolution 1701 (2006) have a direct relation with the notion of border control and border security. In paragraph 8, the Council calls upon Lebanon and Israel to respect, inter alia, the principles of no foreign forces in Lebanon without the consent of its Government and no sales or supply of arms and related materiel to Lebanon except as authorized by its Government. In paragraph 14, the Council calls upon the Government of Lebanon to secure its borders and other entry points to prevent the entry into Lebanon without its consent of arms or related materiel, and requests UNIFIL to assist the Government of Lebanon in so doing at its request.

3. In response to the request addressed by Fouad Siniora, Prime Minister of Lebanon, to Angela Merkel, the Chancellor of Germany, on 25 August 2006, a joint Federal Police/Customs project office was set up in Beirut on 7 September 2006 on the basis of a bilateral agreement. A team of five experts each from the German Federal Police and Customs arrived in Lebanon with the following mission: to advise the Lebanese security authorities tasked with border protection and customs duties on formulating a national border control strategy; to evaluate the standards of the equipment currently in use and supply equipment where appropriate; and to provide incident-related training to the Lebanese security authorities in charge of border protection and customs where appropriate.

4. As part of the bilaterally agreed mandate, the Federal Police/Customs project office carried out an evaluation of the situation of the Lebanese security authorities in charge of border control and collection of customs duties, with the exception of the borders south of the Litani River under the mandate of UNIFIL. On the basis of the findings, the project office formulated a proposal for Lebanese integrated border management. As a starting point, a pilot project was launched in the northern region, involving improvements to the facilities at the international airport and the seaports. The overall objective of the pilot project is to enable the Lebanese authorities to develop an integrated border management strategy for the entire country. The implementation phase of the project will run from September 2007 to the end of the year and might be extended afterwards to the eastern border.

5. In September 2006, a border police expert team from the Department of Peacekeeping Operations conducted a brief assessment of the security measures in place at Lebanon's borders. The assessment report highlighted the coordination structures put in place by the Government while pointing to a number of shortcomings in matters of coordination, equipment and training. From 25 February to 3 March 2007, the expert team made a return visit to Lebanon to assess whether the changes recommended in its report had been implemented. In the team's view, the second assessment revealed both "encouraging and disappointing findings". But the team also acknowledged that the time available to the Government of Lebanon

between the submission of its first report and the second assessment, in some cases, did not allow for full implementation of the recommended measures.

6. The report of the Secretary-General on the implementation of Security Council resolution 1701 (2006), dated 14 March 2007 (S/2007/147), mentioned increased reports of regular smuggling of arms across the border from the Syrian Arab Republic to Lebanon and the measures put in place by the Government of Lebanon to improve its management of the border. The report mentioned that the assessment team from the Department of Peacekeeping Operations had suggested a follow-up mission within four to six months to allow the Government of Lebanon adequate time to implement the recommended improvements.

7. In its presidential statement dated 17 April 2007 (S/PRST/2007/12), the Security Council welcomed the Secretary-General's intention to evaluate the situation along the entire border and invited him to dispatch at the earliest, in close liaison with the Government of Lebanon, an independent mission to fully assess the monitoring of the border, to keep the Council informed on its contacts with the Government and to report back to the Council on its findings and recommendations.

# II. Mandate, approach and methodology of the Lebanon Independent Border Assessment Team

## A. Mandate

8. Following the recommendations of the second police expert mission report and the presidential statement of the Security Council (see paras. 5 and 6 above), the Department of Political Affairs was entrusted to gather experts in customs, border police and military issues and establish the Lebanon Independent Border Assessment Team. On 27 May 2007, the Team, comprising Lasse Christensen, Team Leader (Denmark), El Hadi Salah (Algeria), Franz Vogl (Germany), Sherrone Blake Lobban (Jamaica) and Gilbert Barthe (Switzerland), convened in Beirut for a three-week field mission with the following mandate:

(a) To fully assess current border security and the monitoring of the "Green Border", including its official crossing points;

(b) To provide specific recommendations to the Secretary-General on measures and assistance strategies leading to the enhancement of security along the entire length of Lebanon's border with the Syrian Arab Republic, some 320 km;

(c) To review the roles of all the agencies involved in border security,[1] with particular attention to current national customs and border monitoring capacities, as well as progress made by security and customs agencies in strengthening their control of the border in compliance with resolution 1701 (2006), and identify major obstacles hindering the effective strengthening of that control;

(d) To analyse the findings of the previous Department of Peacekeeping Operations border police expert team's two visits to Lebanon (in September 2006 and February 2007) and build on its recommendations, with specific focus on the

[1] The Internal Security Forces, General Security, General Customs and the Lebanese Armed Forces.

design of an integrated border management project and possible training and development opportunities, working in close consultation with the above-mentioned agencies and with German experts currently conducting a bilateral assistance pilot project on border security enhancement in the north of the country;

(e) To liaise closely with the aforementioned German team and Lebanese agencies and develop a set of standards for border entry points, including recommendations on the reconstruction and refurbishment of critical infrastructure along the border.

The Lebanon Independent Border Assessment Team is expected to report to the Security Council on its findings and recommendations prior to the submission of the June report of the Secretary-General on the implementation of Security Council resolution 1701 (2006).

## B. Approach

9. As a starting point, the Lebanon Independent Border Assessment Team found it appropriate to do research on the notions of border security and integrated border management, in order to clearly define the focus and scope of its mandate. Border security and integrated border management are essential to the promotion of open and secure borders. The challenge is to find ways of enhancing border security to a level proportional to the threats of illegal cross-border activities, while facilitating legitimate travel and commerce, protecting human rights and promoting human contacts.[2] The latter is essential when considering the close linkages border populations enjoy at the Lebanese-Syrian border.

10. The concept of integrated border management has a variety of interpretations. The Justice and Home Affairs Council of the Council of the European Union, for example, agreed on the following dimensions as constituting the conceptual framework of integrated border management:[3]

(a) Border control (checks and surveillance) including risk analysis and crime intelligence;

(b) Detecting and investigating "cross-border crime" in cooperation with all the relevant law enforcement authorities;

(c) The four-tier/filter access control model, which as stipulated in the European Union Schengen Catalogue of 2002 includes measures in third countries of origin or transit, cooperation with neighbouring countries, measures on border control at the external borders and control measures within the common area of free movement;

(d) Inter-agency cooperation in border management including border guards, customs and police, national security and other relevant authorities;

(e) Coordination and coherence at the national and transnational levels.

11. Integrated border management relies on full professionalism and inter-institutional coordination. Furthermore, its proper implementation requires a clear

[2] See www.osce.org/activities/13030.html.

[3] Council of the European Union, 2768th meeting, Brussels, 4 and 5 December 2006.

definition of the respective powers, functional responsibilities, roles and missions of police, customs authorities and military, as well as the conditions for the transfer of responsibilities from the military to the civilian authority as soon as the situation permits. It also includes the enhancement or establishment of appropriate mechanisms for regular exchange and joint assessment of information at bilateral and regional levels.[4] The German team implementing the capacity-building project in northern Lebanon has based its strategy on the conceptual framework of integrated border management.

## C. Methodology

12. The Team carried out its mandate in close partnership with the Government of Lebanon and all its security agencies. This approach was greatly facilitated by the Government's total readiness to receive and support the mission and to benefit from the mission's advice and recommendations and from the potential support to border management that the Team's report could generate. At the highest level, the Team met with the Prime Minister. It consulted regularly with Lebanese security authorities in their Beirut headquarters, meeting with the commanders or directors of the four security agencies, and, as the need arose, with their officers in charge. The Team carried out field visits to all official border crossing points and many specific areas of the Green Border. In addition, it was able to observe a large part of the Syrian border during a helicopter flight. Its assessment focused on the technical aspects of border security and border management. Nevertheless, the Team could not ignore some specific political/security situations at a few locations on the border which have a direct impact on the ability of the Lebanese authorities to manage and control the border.

## D. Support offered to the Team

13. The Team's activities in Lebanon benefited from the outstanding support of both the Lebanese authorities and the Office of the United Nations Special Coordinator for Lebanon (UNSCOL). The Team consulted closely with the Special Coordinator of the Secretary-General for Lebanon and his political advisers. A close protection unit provided personal and movement security and logistical support. At the same time, the Lebanese security agencies offered the highest level of cooperation to the Team and accommodated all of its requests to visit specific locations and meet with officials.

## E. Constraints

14. Beside the extremely positive notes of the previous paragraphs, the Lebanon Independent Border Assessment Team faced some constraints of different levels or nature. During its visits to the field (border control points and Green Border), the Team was escorted by the United Nations, and provided with a close protection unit and vehicles from the Internal Security Forces, complemented by military intelligence officers and regional commanders of the Lebanese Armed Forces. The

[4] North Atlantic Treaty Organization, common platform of the Ohrid Regional Conference on Border Security and Management, 22 and 23 May 2003.

Team's convoy consisted of at least six black four-wheel-drive vehicles plus two Lebanese Armed Forces military vehicles from the area. Approximately 10 persons, including the Team's 5 experts and army commanders, would meet in the offices of the various authorities in charge at the border. This made the interaction of the mission with local officials formal and rigid. On some occasions, they appeared to be careful and almost defensive in their discussions in front of such a high-level audience.

15. In general, the time available to the Team did not allow for building real working relations with the local authorities in charge at the borders, and offered little possibility to verify or cross-check some statements made to the Team and its entourage. The fact that the Syrian Arab Republic had closed its border operations at the three northern border posts, following the armed operations against the Palestinian camp of Nahr-el-Bared, prevented the Team from witnessing the border authorities performing their duties. Also, the time spent at some locations near Palestinian strongholds at the Syrian border was rather short, for security reasons.

# III. Situation

## A. Border description

16. Lebanon covers an area of 10,452 square kilometres and borders on the Syrian Arab Republic in the north and in the east and on Israel in the south. The coastal waters of the Mediterranean Sea mark off the Lebanese territory in the west. The responsibility for supporting the Government of Lebanon in the surveillance of the sea border and the area south of the Litani River has been placed on UNIFIL and therefore the assessment of security at this section of the border is not included in the mandate of the Lebanon Independent Border Assessment Team.

17. The border to the north, follows the Nahr el Kabir River from its source in the area of Sahlet el Bqaiaa to the Mediterranean Sea. This small river, sometimes only a few metres wide and with many shallow points, describes the course of the borderline along its length of approximately 65 km. East of the source of the Nahr el Kabir River the border area is marked off by the foothills of the sharply rugged Mount Lebanon (up to 3,083 metres high) extending to the north-eastern border. The border area adjacent to the coastal waters can be described as flat and densely settled. Further inland the terrain becomes hilly with scattered settlements and dense vegetation of bushes and trees. Further to the east the terrain is slightly inclined and finally reaches the foothills of Mount Lebanon (up to 830 metres high).

18. The land border to the east follows the arid Anti-Lebanon mountain range and Hermon Mountain to a maximum height of 2,629 metres and 2,814 metres respectively. The terrain is very rocky and partially inaccessible with very sparse vegetation at higher altitudes. The lower altitudes have thin vegetation of bushes and cedar trees. Settlements can be found only at the base of mountains or in the hinterland. The land borders with the Syrian Arab Republic in the north and the east extend to approximately 320 km in all. The border is partially marked off by natural boundaries, e.g. the Nahr el Kabir River in the north and banks of earth up to

2 metres high in the east, but so far no delineation or demarcation of the Lebanese-Syrian land has been made.[5]

19. Legal entry into and departure from Lebanon takes place through four official land border crossing points at Arida and Aboudieh in the north and Kaa and Masnaa in the east. Further border crossing points are the Beirut airport and the seaports of Beirut and Tripoli. Another border crossing point in the north-east, Bokayaa, will open in July. Numerous trails and pathways cross the "Green Border" in the north and the east, making it possible for smugglers and foreign infiltrators/terrorists to cross the border while avoiding the official border crossing points. These trails and pathways are suitable for both small-scale and large-scale smuggling activities.

20. On the eastern border, inhabitants rely heavily on cross-border commerce, technically illegal but neither controlled nor prevented by the Lebanese or Syrian border authorities. For example, in the village of El Qasr Lebanese farmers cross the border in order to cultivate fields on the Syrian side. Lebanese children living on the Syrian side cross the border to attend schools on the Lebanese side. These movements are technically illegal and require solutions at the political level and appropriate measures from the Lebanese border authorities as well.

21. A major concern in terms of border security lies in several heavily armed Palestinian military strongholds covering both sides of the borderline. These camps constitute pockets of territory where the Lebanese security forces are denied the possibility to exercise their mandate. The Lebanese Armed Forces confine themselves to controlling and sealing off the surroundings of these camps, as in Haloua, south-east of Masnaa.

## B. Agencies in charge of border management

22. The management of the border is shared by four different security agencies: the Lebanese Armed Forces, the Internal Security Force, General Security and General Customs. General Customs is divided into the Customs Office and the Customs Brigade, with specific and complementary tasks. The overall staffing of the Lebanese Armed Forces is 64,000,[6] of whom 15,000 are deployed along the Israeli border and 5,000 to 8,000 are engaged in border security along the Syrian border.

### Lebanese Armed Forces

23. The mission of the Lebanese Armed Forces, as indicated on their website,[7] is the following:

> "(a) Facing the Israeli occupation and its perpetual aggression in South Lebanon and West Bekaa and supporting the steadfastness of Lebanese citizens to ensure the complete withdrawal of the Israeli forces to internationally recognized borders;

[5] A United Nations cartography unit is working on this issue for the stretches of the border for which an understanding exists with the Syrian Arab Republic. For the disputed parts (e.g. Jabal el Mazar, near Deir el Aachayer and Halimet Quarah), a Lebanese-Syrian intergovernmental committee has been established, however no indication was given of when results could be expected.

[6] According to the Jaffee Center's Middle East Military Balance.

[7] www.lebarmy.gov.lb.

(b) Defending the country and its citizens against all aggression;

(c) Confronting all threats against the country's vital interests;

(d) Coordinating with Arab armies in accordance with ratified treaties and agreements;

(e) Maintaining internal security and stability;

(f) Engaging in social and humanitarian activities according to national interests;

(g) Undertaking relief operations in coordination with other public and humanitarian institutions."

On several occasions, when discussing with the Team the role of the units based along the border area, brigade and regiment commanders of the Lebanese Armed Forces in the field described their mission in terms of (a) defending the country against "foreign aggression"; (b) maintaining internal law and order; and (c) assuring border control for personnel and goods (or preventing the smuggling of people/arms/goods from the Syrian Arab Republic into Lebanese territory).

**Internal Security Force**

24. The Internal Security Force is a police force subject to the authority of the Minister of the Interior, but following military laws and rules in general. Legislative Decree No. 139 dated 12 June 1959 broadly defines the Force's mandate as contributing to the general security by controlling the land, sea and air borders and by monitoring foreigners in Lebanon. Law No. 17 dated 6 September 1990 defines it as a public armed force whose jurisdiction covers the whole Lebanese territory, the territorial waters and airspace. The parts of the Force's mission related to border security are (a) to keep order and security; (b) to assure public order; (c) to implement the missions of the judicial police; and (d) to support the public authorities in carrying out their duties. More specifically, the Force can execute its mission by (a) requesting identity documents; (b) searching persons; (c) arresting persons (in application of a legal judgement or warrant or immediately in the act); (d) entering houses; (e) seizing prohibited substances; (f) establishing checkpoints; and (g) using arms when arresting suspected persons under certain conditions and specified situations. The Force members also have the duty to report any crime they are witness to or those reported to them.

**General Security**

25. The agency known as General Security operates on the basis of Legislative Decree No. 139 dated 12 June 1959, which defines its general tasks as gathering information for the Government, in particular political, economic and social information and carrying out criminal investigations of violations committed against the internal and external State security. General Security supports the Internal Security Force in controlling the land, sea and air borders, issuing entry visas for foreigners and monitoring foreigners residing in Lebanon. It controls the entry of foreigners into the country, their residence, their departure and their movements, and organizes and delivers travel documents for the Palestinian refugees living in Lebanon or coming from foreign countries. It describes its security functions as (a) collecting political, economic and social information for the benefit of the

Government; (b) evaluating, analysing and exploiting information in different domains; (c) participating in judicial investigations within the frame of offences committed against the internal or external security of the State; (d) supervising the preparation and implementation of security measures; (e) cooperating in different functions on security matters; (f) preparing wanted notices and the prosecutions related to wanted persons, travel bans and entry restrictions to the country; and (g) participating in the control of the land, sea and air borders.

**General Customs**

26. Lebanese Customs is headed by a High Council of Customs which acts as an overall legislative and nominating authority. It is part of the Ministry of Finance but acts as an independent authority, forwarding the collected customs duties and value added tax to the Ministry. The execution of the Lebanese Customs mandate is entrusted to General Customs, managed by the General Director. General Customs comprises two main departments, the Customs Office with 470 civilian staff and the Customs Brigade with 1,320 uniformed staff. The Customs Office includes a division of smuggling control. Both departments have requested a higher number of staff, 2,635 for the Customs Brigade and 591 for the Customs Office. The current economic crisis has not allowed for sufficient funding for the recruitment of additional officers.

27. The Customs Office is in charge of the following tasks at the legal border crossing points: (a) collection of customs duties, excise taxes and value added tax in a fair and accurate manner; (b) prevention of smuggling and detection of fraudulent practices against customs and related laws; (c) clearance of persons, their baggage, cargo and mail; (d) protection of the general welfare of Lebanon by enforcing import and export restrictions and prohibitions; and (e) provision of accurate international trade statistics for the public and trading community.

28. The Customs Brigade and its units, in charge of controlling the borderline, have the following mandate:[8]

(a) Controlling the land, sea and air borders and other territories which are subject to Customs control in order to implement the laws, customs regulations and different rules that handle the import, export and ownership of goods;

(b) Detecting fraud, according to the law of customs and other regulations, and establishing checkpoints in order to scrutinize people's movement;

(c) Providing support to the civilian Customs Office;

(d) Assisting all the military forces and the official administrations in accordance with the rules and cases mentioned in the laws in force.

## C. The situation as seen by the key Lebanese players in border management

29. During the nearly 30 years of Syrian presence and influence inside Lebanon, no concept of border security at the Lebanon-Syrian border was ever implemented.

[8] According to Decree No. 2868 dated 6 December 1959 and Decree No. 4461 dated 15 December 2000.

Consequently, this situation led to the arrival of a significant Syrian workforce in Lebanon and the creation of politico-commercial networks across the border for which there was no real obligation to abide by the legislation on movements of goods and persons. Along the same line, border agencies were not encouraged to cooperate under the Syrian presence. This situation generated a low working ethic, morale and motivation among the agencies' personnel. The Government of Lebanon and its security forces and authorities began to be really involved in border management on the eastern border only in 2005, after the withdrawal of the Syrian troops from Lebanon.

30. The ceasefire with Israel in 2006 and the implementation of resolution 1701 (2006) required the revamping and deployment of elements of all security agencies on the Syrian border. All of the security agencies acknowledged a lack of experience and historical best practices in real-life border security management. A Joint Border Security Committee, comprising all the heads of the security agencies and chaired by the Internal Security Force, was created as an advisory body to the Government. The committee meets once a month; its short-term strategy is to improve the current border management system. At the same time, the Committee was quite interested in any consideration pertaining to the creation of a specialized border security agency.

31. The various agencies were able to demonstrate to the Team their current efforts to manage and control border security at the Syrian border. In order to comply with the terms of resolution 1701 (2006), the Lebanese Armed Forces assigned a total of 8,600 staff to control the northern and eastern borders. This staffing includes a contingent of 240 Internal Security Force personnel under the command of the Lebanese Armed Forces. The internal events of May-June 2007 in the Palestinian camp of Nahr-el-Bared required, however, a reduction of 30 per cent in the number of Lebanese Armed Forces units in charge of border security and their redeployment to the inside. For the remaining approximately 5,000 Lebanese Armed Forces members in charge of border security, such a non-traditional mission for an army necessitates some level of coordination with the other agencies traditionally in charge of border security, the Internal Security Force, General Customs and General Security.

32. In his meeting with the Team, the Prime Minister of Lebanon described the land border with Syria as a major issue of concern and expressed the desire that efforts in improving border management be carried out in the framework of tightening security against armed threats, such as smuggling of weapons and personnel for terrorist purposes. He added that the Government deplored the non-recognition by the Syrian Arab Republic of their common border and the non-existence of diplomatic relations between the two countries. Such a situation had a negative impact on cross-border security issues. Parts of the Lebanese borders were considered free of arms smuggling, namely the southern part, owing to the heavy presence of the Lebanese Armed Forces and UNIFIL, and the coastal line, owing to the International Maritime Task Force.

33. The Joint Border Security Committee and the agencies described their priority as improving control over security-threatening cross-border violations such as the smuggling of illegal aliens with criminal/terrorists intentions and deliveries of significant weaponry systems. The Committee and agencies could not, however, present to the Team a single case of intervention on such targets during or immediately following their crossing of the border. In their view, the management of

the border by all the different agencies had proven to be quite efficient, and the display of control points possibly a good deterrent to potential offenders.

34. Border security agencies indicated that the smuggling of daily commodities between the border communities had always existed and th . agencies were rather tolerant when the quantities of goods smuggled indicated a mere personal use. It was also pointed out to the Team that powerful cartels were still involved in lucrative smuggling of commodities like cigarettes and fuel. Agencies were therefore working along a thin line of compromise, not wishing to alienate the support said to be received from the border communities in reporting important cases of smuggling. Those communities had always lived from cross-border trade, taking advantage of price differences between the two countries. Local authorities pointed out that most of the Bekaa population had been involved in the culture of cannabis and poppies but had stopped it when the Government intervened under the pressure of the international community. The alternative development projects promised by the latter had not materialized and communities had thus increased their involvement in smuggling.

35. Agencies in charge of border security acknowledged a lack of experience in implementing several tactical and technical aspects of their mission. For the official border posts, the Lebanese authorities acknowledged a need to review processes and the current infrastructure. As for the Green Border, they indicated a lack of proper border surveillance equipment. The Lebanese authorities warmly welcomed the support and equipment provided so far by the donor countries, and especially the partnership with Germany for the project of integrated border management, whose pilot phase was currently ongoing. On the other hand, the need for cross-border cooperation with their Syrian counterparts was at several times pointed out, although some strategic bilateral meetings were reported to happen from time to time at a higher level, mostly on border delineation and customs issues. As an example, the Governor of Bekaa met with his Syrian counterpart, the Governor of Rif Dimajq through a joint Syrian-Lebanese committee dealing with land ownership issues along the border.

36. Border security agencies, especially the Lebanese Armed Forces, were very specific in highlighting the fact that the presence of Palestinian military strongholds on the Syrian border represented a considerable obstacle to border management. It diverted units in charge of border surveillance and anti-smuggling missions to military deployment around such camps, reducing the number of troops available for surveillance of the rest of the border. The Lebanese Armed Forces, however, considered the issue of armed Palestinian strongholds to be of a political nature, therefore requiring a political solution.

37. Owing to specific political and security-related events in Lebanon in the past two years and budgetary considerations, General Customs had not been able to obtain authorization from the Council of Ministers to fulfil its identified recruitment needs. That was quite relevant when considering that its uniformed and armed brigade, 1,320 staff mostly deployed at the border outside the official border posts, was working at only 50 per cent of its required staffing level. At the same time, the Lebanese Armed Forces acknowledged the need to train their border units in proper border security strategies to replace the purely military defence tactics currently in use. On several occasions, security agencies and the Joint Border Security

Committee pointed out the long-term need for a dedicated border security agency, instead of allocating such task to the Lebanese Armed Forces.

### D. International support

38. In resolution 1701 (2006), the Security Council called upon the international community to take immediate steps to extend financial and humanitarian assistance to the Lebanese people and also to consider further assistance in the future to contribute to the reconstruction and development of Lebanon. In the framework of resolution 1701 (2006), the international community committed itself, inter alia, to support Lebanon's security sector. An international donor coordination group (Australia, Canada, France, Germany, the Netherlands, Spain, the United Kingdom, the United States and the European Commission) has been established to facilitate the coordination of the various capacity-building projects in the Lebanese security sector. Those projects aim at enhancing judiciary capabilities and the capacity of the Lebanese security forces (General Security, General Customs, the Internal Security Force and the Lebanese Armed Forces) by providing training and funding for equipment.

39. Within the international donor coordination group, a "border management" sub-group (Canada, Denmark, France, Germany, United Kingdom and United States) has been established to facilitate the coordination of the members' engagements in the field of border security. Against the background of the German project to implement integrated border management in Lebanon, the border management sub-group is chaired by the head of the German project. Regular donor sub-group meetings facilitate the coordination of projects and activities in terms of capacity-building (training and equipment) for the benefit of Lebanon's border authorities, thus enhancing border security beyond the area of responsibility of UNIFIL.

## IV. Facts and findings

### A. Official border crossing points

#### 1. Land border crossing points

#### (a) Description and procedures

40. Passengers and goods entering Lebanon by land must travel through one of the four current border entry points: Arida (north of Tripoli along the coast) and Aboudieh (north-east of Tripoli) in the north and Kaa (at the northern edge of the Bekaa Valley) and Masnaa in the east (on the Beirut-Damascus highway). Another border crossing point, located at Bokayaa (northern border), is currently under construction and expected to be operational by the beginning of July 2007. All border crossing points are classified by Lebanese border security authorities into categories "A" and "B", depending on the dimensions of the perimeter and premises of each border crossing point and the volume of corresponding transborder traffic (passengers, vehicles and goods). Statistics received from the offices of the Director of Customs show that Masnaa handles the largest number of incoming and outgoing

vehicles daily, while Aboudieh handles the second largest, Arida the third largest and Kaa the least number of vehicles daily.

41. In general the premises of the border crossing points are not located close to the borderline; they are located at a distance of up to 13 km from it. Most of the perimeters of the border crossing points are neither fenced nor secured by access gates. The separation of incoming and outgoing vehicles and cargo within the premises of all of these border crossings is inadequate, which makes it difficult to exercise control over the flow of passengers within the perimeter. In general, arrival and departure checks are not separated; they take place in the same terminal. A forward post occupied by staff from the border security authorities could be found close to the borderline at each border crossing point except for Arida.

42. Border security authorities performing immigration checks and customs clearance at the border crossing points are General Security, General Customs (Customs Office and Customs Brigade) and an intelligence cell from the Lebanese Armed Forces, which attempt to identify terrorists crossing the border and supervises the operations of the agencies. The clearance procedures follow a general pattern, in that border crossers are cleared first by General Security and their goods then processed by General Customs. Al Maasna is exceptional, because passengers are required to stop first at General Customs for inspection and then go to General Security for entry into Lebanese territory. There are no female officers at any of the border crossing points. Customs clearance documentation is sent to Beirut for final logging.

43. Passengers, vehicles and goods passing through a border crossing point have to undergo a three-stop process. First, General Security staff stop the passengers/vehicles individually and request all passengers to report to General Security inside the arrival terminal for an immigration check. Counters for diplomats, foreigners and Lebanese passengers separate the passenger stream. The immigration check is computerized with regard to passports. Customs clearance processes, however, are not computerized and documentation is sent to Beirut for logging. Data insertion for Lebanese and Syrian identification cards is done manually. Arriving Syrian nationals are registered with the help of a form ("entry/exit-card").[9]

44. Vehicles have to queue until the process of checking the vehicle in front is completed. Once the immigration check is performed, the passengers return to their vehicles and proceed to the customs clearance of goods and cargo, which takes place in small terminals with separated lanes for vehicles and buses.[10] Finally the passengers proceed to a "re-check position" where staff from General Security make sure that they have passed through all the positions and the forms are correct.

45. There are no defined and obvious procedures at all border crossing points that govern the selection and inspection of goods. Therefore, decisions are largely based on personal trust and intuition. Authorities did not present the Team with reports on seizure of weapons or ammunition at any of the four official border crossing points

[9] One half of the form is issued to the passenger, the other half remains at the border crossing point for registration purposes (saved for 6 months).

[10] Customs clearance of trucks takes place at separated cargo checking areas either within the perimeter of the border crossing point or at defined locations far away from the border crossing point (e.g. at Tripoli for cargo entering at Arida and El Aboudieh).

since the adoption of resolution 1701 (2006). However, officials at all levels informed the Team that they were aware of cases of smuggling of gasoline, clothing and other consumer items, and that to a large extent that type of smuggling had been tolerated and treated as relatively unimportant.

46. At none of the border crossing points does cooperation between officials from the two sides of the border take place (sometimes the heads of the Lebanese border security agencies do not know the names of their Syrian counterparts); nor is inter-agency cooperation and coordination very discernable (e.g. day-to-day operational contact at the border crossing point, addressing practical questions such as the alignment of policies and practices where relevant, the development of new infrastructure, the possibility of sharing buildings or information services or the development of common training for present and new staff).

**(b) Facts and findings**

**Arida**[11]

47. The Arida border crossing point is located near the coast north-west of the border with Syria. The premises are close to the borderline. The stretch from the Syrian border crossing point to the Lebanese border crossing point is fenced. An access gate to this border crossing point exists but the perimeter is only partially fenced. The premises are squeezed into a small location which is not large enough for trucks and cargo. However, separate exits and entrances exist for arriving and departing passengers. The immigration check for arriving and departing passengers takes place in the same terminal with no separation between them and is performed by 38 officers from General Security (3 junior police officers and 35 police officers). Immigration checks are performed in conformity with the workflow described in paragraphs 42 to 44 above. Passengers and vehicles then proceed to the customs clearance.

48. According to General Customs, Arida clears an average of 88 trucks per day for import and 120 for export. An average of 1,137 cars and buses passes through in both directions. Trucks carrying cargo are selected and sent to Tripoli for inspection. The Team was not able to learn the procedure or process for earmarking trucks for inspection. The Team was informed that there were not enough motor vehicles to conduct the relevant patrols and that officers often took taxis when returning from escorting trucks to Tripoli.

49. The premises of General Security and General Customs are outdated and poorly furnished; the conditions in the small terminal for the customs clearance of vehicles and buses are satisfactory. General Security and General Customs at this border crossing point are in general poorly equipped (e.g. lack of vehicles, radio equipment, scanner, cameras and explosive detectors). Customs operations are not computerized. Equipment donated by Germany for the detection of forgeries (Docu-Box and document examination toolkits) was present and working. All General Security staff reportedly had passed further training courses in the detection of forgeries conducted by the German project office in Beirut.

[11] At the time of the Team's visit, no border crossing activities were seen due to the closure of the Syrian border post on the adjacent side, which is believed to be a result of the fightings in the Nahr-el-Bared camp in Tripoli. Despite this, the Lebanese border crossing officials had reported to work and informed the Team that they continue to patrol the area.

50. With regard to discovered criminal offences, the heads of General Security and General Customs stated that only small-scale smuggling (diesel, clothes and food) took place at Arida. No smuggling of arms or ammunition had been discovered in the past three years except for a small number of sidearms found in an Iraqi truck. No forgeries had been discovered in the one year and seven months since a General Security lieutenant interviewed by the Team had taken up his post

51. There appears to be no local cooperation between officials from the two sides of the border at Arida.

**Aboudieh**[12]

52. Aboudieh is the main border crossing point (classification "A") at the northern border with an average 123 trucks entering and 192 exiting per day and an average of 1,015 cars and buses in both directions. The premises of Aboudieh are situated approximately 1 km from the borderline, with a village lying between the border and the perimeter of the border crossing point. There is a narrow road immediately after leaving the Syrian border and a few metres before the Lebanese Customs advance post. Therefore persons may deviate before approaching the Lebanese advance post. Near the borderline, an advance post staffed by Lebanese border authorities has been established to escort Syrian buses and vehicles with passengers on a narrow road to the premises of the border crossing point, on a case-by-case basis, in order to prevent passengers from avoiding the immigration check at the border crossing point (the village between the borderline and the border crossing point being a risk factor). However, the stretch between the forward post and the premises of the border crossing point can be surveyed neither from the forward post nor from the premises of the border crossing point. Any deviation of passengers from the route is supposed to be detected by the Lebanese Armed Forces; General Security restricts its responsibility to the border crossing point.

53. The terminals for immigration check and customs clearance are situated in different locations. The border crossing point has no access gate, its perimeter as well as the way to the borderline are not fenced. The premises of the border crossing point are squeezed into a small location not being large enough for trucks and cargo, in particular when trucks are queuing as seen during the Team's visit. Nevertheless, separate lanes for vehicles and trucks exist for arrival and departure.

54. The immigration check for arriving and departing passengers takes place in the same terminal (no separation of arriving and departing passengers) and is performed by 72 officers from General Security (1 junior police officer and 23 police officers per shift, three shifts).

55. There appears to be no visible control mechanism within the customs area, which is unfenced. Trucks are escorted to the border crossing point and selected trucks are sent to Tripoli to be inspected. Some passenger cars are checked, but generally cars with Lebanese licence plates are not subjected to inspection. There appears to be no standard procedures followed by all officers for the inspection of vehicles or passengers. Some report that they examine the cargo based on intuition.

56. The premises of General Security and General Customs are out of date and poorly furnished; the conditions in the small terminal for the customs clearance of

[12] Similar situation to that explained in note 9 above.

vehicles and buses are satisfactory. General Security and General Customs at this border crossing point are in general poorly equipped (e.g. lack of vehicles, radio equipment and inspections equipment). Equipment donated by Germany for the detection of forgeries (Docu-Box and document examination toolkits) was present and working.

57. All General Security staff reportedly have passed further training courses in detection of forgeries conducted by the German project office in Beirut. Immigration checks are performed in conformity with the workflow as described in paragraphs 42 to 44 above.

58. The only criminal offences as indicated by the heads of General Security and General Customs related to small-scale smuggling (diesel, clothes, medicine and cellular phones). No local cooperation between officials from the two sides of the border was reported to take place.

**Bokayaa**

59. The Bokayaa border crossing point will become operational in July 2007, making it the third post on the northern border. It is located approximately 25 km east of the Aboudieh border crossing point. The premises are situated approximately 500 metres from the borderline. The establishment of a forward post similar to Aboudieh is planned and a preliminary forward post has already been established. There were signs that villagers live and conduct business alongside the road that joins the border crossing point to the borderline. The municipality has been demolishing shops and houses along the unpaved road to the borderline that have kept busy (illegal) cross-border commerce going; during the Team's visit only a few shops remained. The Lebanese authorities informed the Team that they are in the process of removing all the shops and erecting fencing along this part of the roadway. A narrow riverbed that can be crossed easily in the summer, when it is dry, delineates this area of the borderline.

60. The terminals for immigration check and customs clearance will be situated at different localities inside the city. The premises of the border crossing point are squeezed into a narrow location that is probably not large enough for trucks and cargo. The premises of General Security (a previous post of the Syrian forces) have been refurbished but are neither furnished nor equipped. They are located at the centre of a seemingly busy thoroughfare where villagers move freely on foot and in vehicles and conduct commercial activities. The perimeter is not yet fenced, nor is there an access gate. Facilities to house General Customs have not yet been provided. The entire layout of the area designated for receiving cargo and passengers lacks a level of control that would ensure that outgoing passengers and cargo remain separated and that the travellers do not interact with the villagers.

61. The Team was informed that there is a plan under way to eventually move this border crossing to the actual borderline, where the current customs advance post is situated. The Lebanese authorities are in dialogue with their Syrian counterparts to build a border crossing point adjacent to the area earmarked for this new border post. The Team observed no sign on the Syrian side to indicate that such activity is taking place.

**Kaa**

62. The Kaa border crossing point is one of two along the eastern border with the Syrian Arab Republic and is located approximately 10 km south-east of the city of El Hermel. The premises are situated approximately 10 km from the borderline with approximately 3,000 people living permanently in the zone. Near the borderline a forward post operated by Lebanese Armed Forces staff checks for suspicious arriving and departing passengers and vehicles.[13] Kaa processes an average of four trucks per day for import and eight for export, while the number of cars and buses passing through in both directions averages 303 daily.

63. The perimeter of the border crossing point is partially surrounded by a wall; an access gate does not exist. Cross-border traffic arriving at the perimeter is not separated into lanes for cars, buses and trucks, resulting in inadequate control over the movement of passengers and their cargo within the customs area. The customs area is small and there are no facilities for body search or hand-held equipment for detecting concealments of prohibited items. The terrain however would be spacious enough to extend the infrastructure and the facilities for a satisfying organization of incoming and outgoing traffic.

64. The premises and furniture of General Security at Kaa are in good condition. The immigration check for arriving and departing passengers takes place in the same terminal (no separation of arriving and departing passengers) and is performed by eight officers per shift from General Security (1 junior police officer and 7 police officers). There are no female officers at Kaa.

65. General Security at this border crossing point is poorly equipped (e.g. lack of vehicles and radio equipment). Equipment donated by Germany for the detection of forgeries (Docu-Box and document examination toolkits) was seen in operation. Eighty per cent of General Security staff reportedly passed further training courses in detection of forgeries conducted by the German project office in Beirut.

66. Immigration checks are performed in conformity with the workflow described in paragraphs 42 to 44 above. With regard to customs inspection, there seems to be an absence of standard procedures based on unbiased reviewing and profiling of cars, passengers and cargo. This border crossing point lacks a computer to link the customs operations to the main system in Beirut. With regard to discovered criminal offences, the shift leader of General Security stated that one person had been caught by the Lebanese Armed Forces on 30 May 2007 attempting to illegally sneak into the country. Smuggling, in particular smuggling of arms and ammunition, was said not to take place at Kaa.

67. Inter-agency cooperation does not take place between General Security at the border crossing point and the Lebanese Armed Forces at the forward post, nor is it the case with customs. Cooperation and coordination requests have to be channelled through the headquarters of the military intelligence. Criminal offenders apprehended by the Lebanese Armed Forces along the border are handed over to General Security at Kaa for further investigation. There is no local cooperation between officials from the two sides of the border.

[13] Lebanese exit stamps of passengers staying for more than one day in the zone between the border crossing point and the borderline cease to be valid.

**Masnaa**

68. Masnaa is the main border crossing point (classification "A") at the eastern border and is the most important point for cross-border traffic to Damascus. Trucks, passenger buses, taxis and private cars use this crossing point to transport people and cargo across the border. The daily number of truck crossings averages 194 for import and 180 for export. An average of 905 buses and cars pass daily in both directions. An advance customs post is situated at this borderline and the Customs Brigade is responsible for ensuring that cargo and suspicious passengers are escorted to the official crossing point. Lebanese officials estimate that 3,000 individuals are living in villages situated between the borderline and the official crossing point.

69. The premises of Masnaa are situated approximately 8 km from the borderline. The perimeter of the border crossing point is partially enclosed by a wall and a fence. The cargo area where trucks are located is not fenced. There is no infrastructure or equipment for the inspection of cargo. The authorities have acknowledged that the current flow of traffic and the logistics of the compound are inadequate. The premises of the border crossing point are located within a small area. Plans are under way to purchase adjacent land to alleviate the problem of space. Despite this initiative, the compound will be too small to accommodate the flow of traffic through this crossing point. At the moment, construction work for another bus lane is ongoing. Separate lanes for arrival and departure exist only for cars; arriving trucks have to cross the lane of cars and buses to arrive at the cargo checking area. The conditions in the premises of General Security at Masnaa are apparently satisfactory. The immigration checks for departing and arriving passengers take place in separate terminals.

70. The customs system is not computerized and the customs processes and procedures are manually linked to Beirut. Customs entries are regularly sent to General Customs in Beirut, where the relevant statistics are entered. The Team was informed that an automated system for customs data will soon be installed at Masnaa and linked to Beirut. Information on the cars and drivers that depart and arrive through the border crossing point are logged into a computerized system. There is no evidence to suggest that the information is being used for risk/trend analysis.

71. General Security and General Customs at this border crossing point are in general poorly equipped (e.g. lack of vehicles, radio equipment and hand-held devices for detecting explosives, weapons or other concealed contraband or concealed compartments). Equipment donated by Germany for the detection of forgeries (Docu-Box and document examination toolkits) were present and working. The fixed scanner donated by the Government of China is not yet in place.

72. All general security staff reportedly have passed further training courses in detection of forgeries conducted by the German project office in Beirut. The superficial level of inspection done by customs officials indicates that they are largely unaware of common concealment methods and trends in weapons smuggling, precursor chemicals and raw materials for making explosives.

73. Owing to infrastructural circumstances the immigration checks at Masnaa differ from the workflow as described in paragraphs 42 to 44 above insofar as customs clearance takes place before the immigration check.

74. With regard to the detection of criminal offences, the head of General Security stated that the misuse and forging of identification cards was commonly detected at Masnaa.[14]

**(c) Partial assessment, analysis and conclusions**

75. Arida is the only land border crossing point located close to the borderline; the other border crossing points have remote premises supplemented by a forward post close to the border. Despite these advance posts, the authorities do not have strategic surveillance over the areas between the border crossing point and the borderline, which are often either inhabited or hilly and bushy terrain. These circumstances constitute risk factors for border security as they facilitate smuggling and illegal trafficking.

76. Most of the premises of the border crossing points are confined to small spaces, preventing the implementation of efficient and effective processes for immigration checks and customs clearance (separate lanes for cars, buses and trucks, separate arrival and departure terminals, separation of arriving and departing passengers, sufficient parking space for trucks/cargo). In general the perimeters of the border crossing points do not have access gates and are partially fenced if at all. The zoning and separation of arriving and departing passengers within the premises are poorly defined and in some instances non-existent. The lack of defined areas for processing incoming and outgoing passengers and cargo results in the absence of a controlled sterile customs area, which is an essential component of border security.

77. Immigration checks and customs clearance take place at three positions; the current workflow slows down the processing of passengers and is liable to present shortcomings in terms of border security. The procedures used to control arriving vehicles are inadequate, as there are no clear standards in use to ensure that cargo is selected for inspection based on adequate risk analysis; nor does the selection of vehicles and passengers for inspection appear to be based on profiles garnered from proper risk analysis. The lack of such standards and of analysis/profiling limits the ability of the customs officials to target potential smugglers and prevent the smuggling of weapons and explosives or other dangerous items through the official crossing points. Immigration checks are not fully computerized. Manual data insertion and registration (to be carried for Lebanese or Syrian identification card holders) is time-consuming. Subsequent investigations are laborious and time-intensive.

78. Immigration checks and questioning of passengers are not based on risk analysis and profiling but are done in a standardized process. The techniques used to inspect passenger vehicles and cargo trucks are not thorough and therefore the ingenious smuggler may find it quite easy to bring not only explosives, light weapons and ammunition but also assembled and unassembled heavy weaponry such as missiles and rockets into the country concealed in compartments and panels of cargo trucks and passenger vehicles. Experience has proven that strategic selection and thorough inspection of cargo is essential in border security, because international trends indicate that contraband is often embedded in normal cargo and may be transported using falsified information on key documents. The contraband

[14] On 7 June 2007, 12 alleged Iraqi nationals were seized at Masnaa on suspicion of using forged identification papers.

may successfully pass through customs areas with or without knowledge or assistance from enforcement agents.

79. The smuggling of consumer items such as gasoline and clothing in itself is not a serious threat to the security of the country's borders. However, trends in other countries have shown that "innocent smuggling" at times is an indication of more dangerous organized crime such as the movement of weapons and drugs. Similarly, the same methods used to smuggle consumer items could also be used to smuggle weapons into Lebanon. Organized crime may be facilitated at two levels, the international level and the local level. External merchants operating internationally usually employ local entrepreneurs to facilitate the entry of contraband into the targeted country. Consequently, in the case of Lebanon, it is essential that special attention be given to so-called innocent smuggling, which may be an indication of a more serious trend.

80. Guidelines for checking procedures in the form of standard operating procedures do not exist. The workflow and the procedures keep to well-trodden paths even if gaps are obvious. Inter-agency cooperation and international cooperation (local cooperation between officials on the two sides of the border) exist only in rudimentary form if at all.

81. Premises are in general poorly furnished and staff are insufficiently equipped; infrastructure circumstances at the border crossing points are badly in need of improvement. The cramped conditions at most of the border crossing points create negative effects on immigration checks and customs clearance, e.g. the existence of only one terminal for arriving and departing cross-border traffic and the inefficient processing of passengers/vehicles (queuing of following vehicles while one is being processed). In the event of relocation of border crossing point premises closer to the borderline the existing deficiencies should be remedied.

**(d) Recommendations**

82. The border crossing points with remote premises should be relocated close to the borderline in order to avoid risk factors for the immigration check and the customs clearance. For example, at Aboudieh a village is situated between the borderline and the premises of the border crossing point thus making it possible for passengers to evade the immigration check or to hide contraband.

83. The current method used to process passengers and vehicles (three stops within the perimeter of a border crossing point) slows down the process and is not in line with the concept of integrated border management. The implementation of a single-stop process with separate checking positions for vehicles apart from the queue could speed up the process considerably and promote inter-agency cooperation.

84. Further expansion of computerized immigration checks would simplify and speed up the work of the General Security staff at border crossing points. Subsequent investigations could then be carried out technically and would be less error-prone. In times of continuously increasing passenger traffic the intensity of passenger questioning should be subject to periodic risk analysis. Dedicated resources should be concentrated on cross-border traffic, making it the focus of attention, especially in relation to the infiltration of terrorists into the country. The

initiation of standard operating procedures could establish quality standards for immigration checks and minimize human errors.

85. International donors have been providing various types of equipment for General Security and General Customs, including Germany which is also implementing a pilot project at the northern border incorporating capacity-building elements. The international donor sub-group for border management coordinates further engagement of the international community in the field of border security. Further capacity-building (training and funding of equipment) is needed to enhance the capability of personnel and the technical level of border security.

86. Inter-agency and international cooperation are key elements of integrated border management and should be either established or expanded where they already exist at a low level.

### 2. Beirut airport

#### (a) Overview

87. Beirut airport is the only international and civilian airport in Lebanon. The premises were inaugurated in 1996 and in 2005 served a volume of 3,285,076 passengers.[15]

88. All four border security agencies are involved in airport security. General Security is responsible for migration control of passengers. General Customs deals with the clearance of cargo. General law enforcement within the airport premises is entrusted to General Security and external security responsibilities lies with the Lebanese Armed Forces. Airport Security is responsible for overall security and acts as the coordinating body. In all airport security-related issues, the four security agencies refer to the head of Airport Security.

89. Arriving passengers first report to passport control, where a comparison check between passport and passenger is performed; the authenticity of passports is checked manually. A document verifier is present in each passport booth for further examination of the passport. The verifier is normally switched off and only switched on if the passport officer becomes suspicious. The only person who can switch on the equipment is the supervisor, who has to be called to the passport booth. After examination of the passport, the equipment is switched off again. Before leaving the passport control area, a second line of control, the checking of an entry stamp in the passport, ensures that the passenger has gone through passport control procedures.

90. The passenger then proceeds to Customs. At the airport, Customs has adopted international standards for checking incoming passengers, who pass through a dual-channel system (green or red) in order to facilitate rapid luggage clearance and traveller flow.

91. Outgoing passengers pass through three lines of control. The first line includes a passport/passenger check, flight ticket check and luggage security screening. The passenger then proceeds to check-in, after which the passenger undergoes a passport pre-check before entering the passport control area itself. At passport control, a comparison check between passport and passenger is performed; the authenticity of the passport is checked manually. At both the pre-check and passport control,

[15] 2006 figures are not representative owing to the conflict situation at that time.

passport verifiers are present. Before the passenger boards the plane, a final passport/boarding card/passenger comparison check is performed.

92. At the cargo terminal, Customs use two scanners for the clearance of commercial cargo, complemented by a manual search. There is no physical separation between incoming and outgoing cargo.

**(b) Facts and findings**

93. The security system for airside access appears to be consistent with international standards. The procedures for passport control and customs clearance for passengers are well-suited and implemented. The staff at the passport control points displayed good knowledge of passport control and document examination equipment. The procedure necessitating a supervisor to switch on the verifiers before use does not appear to be optimum; it induces reluctance with the passport control officers, because it is time-consuming and breaks the passenger flow for unnecessarily long periods of time. The staff performing security screening of passengers and luggage seem to perform satisfactorily and follow rules.

94. As Customs has not witnessed a single case of weapon smuggling since 1996, it lacks experience and data for risk assessment and target-setting. The manual control of commercial cargo performed to supplement the two rather antiquated scanners was not sufficient owing to a lack of training.

95. There was no physical separation between the areas for incoming and outgoing cargo, but the corridor linking the two areas was surveyed manually by an officer in an office adjacent to the corridor. This appears insufficient, as the officer had other tasks inside the office as well. The cargo area is airside, but vehicles entering and leaving the area appeared to be manually searched on a random basis only.

96. The interception of incoming cargo before release screening and manual transfer to a vehicle at the outgoing cargo area appears to be relatively easy, thus creating an opportunity to avoid security control and taxation. An airside access system, including progressive security restricted areas, has been introduced with manual checking between the different areas. In addition, the Internal Security Force performs random checks and patrols in all areas.

97. There is an adequate presence of female staff in the airport for manual security checks of female passengers; a few female officers in General Customs and 27 in General Security provide support to each other. The airport does not possess advanced passport checking equipment or dedicated document experts. Detection systems (such as sniffer dogs and scanners) are lacking.

**(c) Conclusion and recommendations**

98. There is a need for improvement of certain procedures; for example, the requirement to call a supervisor in order to perform a basic technical passport check should be reviewed. An effective and physical separation of ingoing and outgoing cargo is essential to ensure that taxation and more important security screening cannot be avoided. More equipment for advanced passport checking and more cargo security screening equipment, particularly for the detection of weapons and explosives, are needed.

### 3. Beirut seaport

#### (a) Overview

99. Beirut seaport is the main port in Lebanon, with a volume in 2006 of 20,831 passengers and 1,829 merchant ships. The 2005 figures were of 29,657 and 2,289 respectively. The Beirut port has several security systems, agencies and processes in place to ensure that contraband does not enter the country through the port facilities. General Security, General Customs and the Lebanese Armed Forces as border authorities are present at Beirut seaport. In addition, the Ports Authority, a private company, is also in charge of security inside the perimeter of the ports.[16]

#### (b) Facts and findings

100. There is currently no restricted access for visitors to the port, and incoming and outgoing cargo are not zoned. The parking lot is situated inside the port premises. During the visit to the ports, the Team observed that construction work was ongoing to build fences in order to create a physical barrier between the various areas of the port, thus enhancing security at the seaport. New identity cards with security features are apparently to be introduced. Moreover, a video surveillance project was launched on 12 June 2007 to track movements within the seaport, thus improving security in it as well. Access to the seaport requires the issuance of an either temporary or permanent access card.

101. The terminals and facilities for immigration checking and customs clearance are situated at different locations within the perimeter of the port. Immigration checks of arriving and departing crew members and passengers are conducted in the same terminal. The premises of General Security appear to be in good condition and the available furniture satisfactory. The main radar lost in the bombings in July 2006 has still not been replaced.

102. The equipment donated by Germany for the detection of forgeries (Docu-Box and document examination toolkits) was present and operating. Sniffer dogs for detecting explosives are available on request. All General Security staff have, it was claimed, attended further training courses in detection of forgeries held by the German project office in Beirut. Four General Security officers attended, in China, another training course in the detection of forgeries.

103. Immigration checks of crew members are performed by General Security, which collects the passports of crew members on board and then makes immigration checks in the terminal. General Security keeps the passports for the duration of stay of the ship in the port. It also makes random checks on ships riding at anchor in the port to detect stowaways. On the basis of a risk analysis, two General Security officers are constantly present on board "risk ships" to check the entry and exit of crew members.

104. Inter-agency cooperation is not sufficiently developed. For example, General Customs and the Lebanese Armed Forces both perform container checks at different locations within the perimeter of the port. Manning the General Customs facilities

[16] A wall encloses the perimeter of the seaport; in all, five gates grant access to the port facilities. General Security and the Lebanese Armed Forces are in charge of access control of those gates. It seems there is an overlapping responsibility between the two agencies with regard to access control.

(X-ray hall and operation container) with soldiers from the Armed Forces would permit better synergies.

105. General Customs and the Lebanese Armed Forces are the agents responsible for cargo inspections at the Beirut seaport. Customs officials informed the Team that a risk analysis is conducted to earmark cargo for inspection. The Lebanese Armed Forces inspect all cargo leaving the port, whether or not it has been previously examined by Customs. The Lebanese Armed Forces manually inspect cargo, without the use of search aids, such as hand-held devices or dogs. One fixed scanner is in place and the Customs officer controlling the machine appears capable and comfortable using it. Customs does not board ships that are docked at the ports. The Customs authorities informed the Team that there had been no official reports of seizure of weapons or ammunition at the seaport. With regard to the criminal offences, the heads of General Security and General Customs both stated that only smuggling of goods (mainly forgeries, such as clothes, watches and cosmetics) had been discovered at Beirut seaport.

106. Ports Authority is a private sector company that also plays an essential role in enhancing the security of the port and cargo. It is responsible for recording, managing and monitoring the movement of cargo in the ports, including ensuring the integrity of seals placed on containers at the port of departure and while in the port. The company is also responsible for upholding the International Ship and Port Facility Security code, an international standard designed to counter the threat of terrorism to maritime security. The International Maritime Organization (IMO) implements the code worldwide.

#### (c) Conclusions and recommendations

107. The Beirut seaport has several procedures and practices in place that are essential for the security of cargo and the prevention of smuggling. General Customs has implemented risk management systems that assist in the identification of high-risk cargo. The fixed scanner is also a very good addition and should bolster the security of the border of Lebanon. The Lebanese Armed Forces perform an essential check and balance by re-inspecting cargo that has already been inspected. However, the Team believes that it is not essential for them to re-inspect everything. The Lebanese Armed Forces should base its inspections on risk analysis and intelligence. The presence of Ports Authority should be supported and encouraged, because its staff is the first point of contact with cargo entering the country.

108. In order to exercise full control over all cargo, whether on the port or aboard ships, it is advisable that General Customs board ships based on intelligence and risk assessment. This will help to deter any port side or transfer of weapons within the maritime territory of the country.

## B. Green Border

### 1. Description and procedures

109. The Green Border is a strip of land between Lebanon and the Syrian Arab Republic, stretching from the coastal border crossing at Arida in the north-west corner of Lebanon to Mount Hermon in the south-east, where it reaches the area of responsibility of UNIFIL. It is approximately 320 kilometres long. The terrain is

extremely diversified along the Green Border and offers very different possibilities and difficulties for both border security and controlling illegal cross-border activities.

110. From the coast to 40 kilometres inland to the east, the border terrain is mainly a fertile, flat lowland of fields, vegetation and small forests, occupied by private houses, farms and industries along the river that marks the border. Further to the east, the terrain changes to flat highland (up to approximately 400 metres) with ravines leading down to the border river. From the north-eastern corner of Lebanon, the border turns south-east into a hilly highland terrain alternating with areas of flat terrain. At the Kaa border crossing, the border turns south climbing into the mountain ridge of the Anti-Lebanon.

111. The Anti-Lebanon marks the eastern border of Lebanon with the Syrian Arab Republic all the way down to Mount Hermon and the UNIFIL area of responsibility. The Anti-Lebanon consists of, in part, very hilly terrain with many valleys and rugged mountain areas reaching an altitude of more than 2,500 metres. Along the border, countless tracks cross the border through low or dry riverbeds in the north, and mountain roads or tracks in the hilly and mountains areas to the east, to a large extent only passable using four-wheel-drive vehicles.

112. There is a very high level of cross-border activities in one grey zone. Although technically illegal, a large amount of people have daily "social" reasons to cross the border. Many people own and cultivate land on the other side of the border; some cross the border for family or schooling reasons, or to seek medical help. In addition, a large number of families rely on petty smuggling activities as their only source of income or as the only way to uphold a livelihood.

**Responsibility of Green Border security management**

113. Green Border security management between border crossing points is the overall responsibility of the Lebanese Armed Forces, which deployed approximately 8,600 personnel along the Green Border after the adoption of resolution 1701 (2006). The units deployed at the border have been given the task of both securing the Green Border and defending the territory of Lebanon. Units of the Internal Security Force are deployed at the Green Border as reinforcement in general or as replacement of Lebanese Armed Forces troops redeployed elsewhere in Lebanon. During the Team's stay in Lebanon, more than 1,000 Lebanese Armed Forces personnel were redeployed away from the border owing to fighting in Nahr-el-Bared north of Tripoli, the bombings in Beirut and for other tasks.

114. The Lebanese Armed Forces are supported by the Customs Brigade, a uniformed and executive part of General Customs that carries out mobile patrols in the border areas.

**Equipment availability**

115. The Lebanese Armed Forces and the Customs Brigade perform their border security duties with equipment that is inadequate in number or not suited to the task. In the units of the Lebanese Armed Forces deployed along the Green Border and in the Customs Brigade, there is a lack of border-specific equipment. Patrols and "ambushes" by the Lebanese Armed Forces are to a large extent carried out with trucks and armoured personnel carriers, in part due to the military need to ensure

strength in numbers but also in part due to the lack of suitable four-wheel-drive vehicles. Surveillance equipment such as binoculars is in short supply for both agencies. The presence of night-vision equipment is scarce, indeed most observation posts and patrols do not have any at all. Even observation posts in areas around Palestinian cross-border strongholds make do with simple light-enhancement equipment without magnification, limiting the range of use to a maximum of 400 metres. Equipment for performing improvised long-duration observation in difficult terrain and tough weather conditions is non-existent.

**Green Border security management**

116. Securing the border is in general based on a three-line arrangement. The first line comprises observation posts and strongholds that survey the border itself. The second line is made up of patrol activities carried out by either mechanized or foot patrols, supplemented by ambush activities, which are typically executed by one or two platoons with light vehicles, trucks and armoured personnel carriers using traditional military techniques. The third line comprises checkpoints along major roads, typically in fixed positions and in some instances reinforced by armoured personnel carriers, that are manned by either the Lebanese Armed Forces, General Customs or the Internal Security Force, and only on rare occasions as joint operations.

**Coordination and cooperation**

117. Very little coordination or cooperation takes place on the Green Border. The agencies involved, primarily the Lebanese Armed Forces, General Customs and the Internal Security Force, each work within its own field of responsibility. Only if a situation makes it necessary, for instance when a person illegally crosses the border or contraband is found, will the case be handed over to General Security or General Customs. There is little or no cooperation or joint operations between the agencies, in particular on the operational level. Hardly any joint activity has been observed or identified, in particular with regard to forward planning. As an example, the Customs Brigade performs its own operations, based on its own information, only informing the Lebanese Armed Forces on ongoing operations through the Central Operational Unit of the Customs directorate.

118. The sharing of information and intelligence is based on each agency's assessment of whether information might fall in to the field of responsibility of the other; if it is considered relevant, it is handed over. However, there appears to be no joint assessment of gathered intelligence. Any information to be forwarded from one agency to another passes through the chain of command to that agency's headquarters, from there forwarded to the other agency's headquarters, and then, ideally, to the appropriate level. The information and intelligence flow is therefore almost exclusively vertical, and highly centralized.

**Border security management results**

119. Some results were documented with regard to apprehending people crossing the border illegally (returning from the Syrian Arab Republic or Iraqis seeking asylum), showing the existence or a capability to do so. Some results have been documented with regard to the seizing of goods crossing the border illegally. To a large extent, seizures are the result of information received from citizens motivated

by a substantial financial reward, which is based on the amount of the fine to be paid by smugglers.

120. All seizures were of traditional smuggled goods, such as diesel fuel, clothes, cement or food. No seizures of weapons or explosives were made. Although a few seizures of illegal weapons have been reported, according to the border security agencies none were in direct connection with a border-crossing activity and none has been documented en route from across the Syrian border. In all cases known to the Team, the claim has been that they were internal weapons transports between different locations inside Lebanon.

121. The problems faced by the agencies responsible for border security on the Green Border include lack of resources; inadequate equipment in terms of both quantity and quality; little long-term experience in border security practices; and conceptual weaknesses. Even when such problems are taken into account, the performance of agencies in stopping arms smuggling, which is generally accepted as a fact, can only be described as not up to what could be expected.

122. Even given the difficult conditions in which the agencies have to perform their duties, it would have been expected that an occasional seizure of arms, either in the process of being smuggled over the border or en route after smuggling, would have been made; if by nothing else, by pure chance. This lack of performance is worrying. It may be indicative of unsatisfactory performance by the agencies entrusted with border security. It must also raise questions on the issue of the integrity of the agencies and its personnel involved in border security. The Team is not in a position to document the true reason for the lack of performance, but it has been put to the Team from very different levels in the agencies that illegal decisions on border management are made, motivated by political sympathies, family or clan connections or traditional corruption.

## 2. Facts and findings on locations visited by the Team

123. The locations visited by the Team are described below.

### Borderland adjacent to Nahr el Kabir river from Arida and 4.5 kilometres to the east (location I)[17]

124. The area is primarily agricultural and lies next to the river. Many private houses, farms and some industrial buildings lie by or very close to the river. A similar situation can be seen on the Syrian side. The river is between 1 and 2 metres deep and between 2 and 6 metres wide. There is dense vegetation in some areas along the banks. The location offers good conditions for floating illegal persons or goods across the border. Due to its curved run, it is difficult to monitor the river for any substantial length from any one observation post. Parts of the river were not under surveillance.

125. A number of very visible observation posts of the Lebanese Armed Forces, fortified to varying degrees, were observed along the river as a first line of control. In the hinterland, a few fixed checkpoints of the Lebanese Armed Forces were found as a third control line on major roads and junctions. The location of observation

[17] Roman numerals refer to location on the map in annex II.

posts appear to have been chosen more for the purposes of territorial defence than for ensuring border security.

**Zone between the Aboudieh border crossing point facilities and the physical border at Nahr el Kabir river (location II)**

126. The area is primarily agricultural, with some bushes and trees, and lies on both sides of a paved road approximately 700 metres long from the village of Abboudiye, where the border crossing point facilities are located, and the bridge crossing the river, which marks the physical border. The road cannot be monitored in its entirety from the forward Customs post at the bridge or from the facilities, none of which have been appointed the task of performing surveillance.

127. According to the Lebanese Armed Forces, the road is patrolled on a random basis as a first line of control. The zone is cordoned off by observation posts and mobile patrols of the Lebanese Armed Forces as a second line of control. At the time of the Team's visit, no patrols or observation posts were seen inside the zone, and none were visible from inside the zone. The Lebanese Armed Forces explained that there were no border crossings as the Syrian Arab Republic had closed the borders because of the fighting in the Palestinian camp north of Tripoli.

128. The zone offers advantageous conditions for people to cross the river illegally into Lebanon and to disappear into the bushland along the road, and for goods to be unloaded in the village before reaching the border crossing point facilities.

**Borderland adjacent to the river from the eastern part of Sahlet el Bqaiaa pocket and 5 kilometres to the south-east at Wadi Khaled River (location III)**

129. The area, in part cultivated, lies next to the river. A few private houses are located close to the river, but most on a ridge 500 to 1,000 metres from the river. The river was to a large extent dried out at the time of the Team's visit, but in winter and spring it is approximately 1 to 2 metres deep and 2 to 12 meters wide. There are some areas of dense vegetation along the river bank. In several locations, roads from both the Lebanese and the Syrian sides lead to the river (riverbed).

130. A number of very visible observation posts of the Lebanese Armed Forces, fortified to varying degrees, were observed along the river, primarily on the ridge overlooking some parts of the river and the Syrian bank. Owing to its curved run and the vegetation, it is difficult to monitor the river for any substantial length from any one observation post. The location of observation posts would appear to have been chosen for the purposes of territorial defence than for ensuring border security.

131. The location offers good conditions for the illegal crossing of persons or goods over the border. Although the riverbed had either natural or man-made riverbanks of 0.5 to 1 metre high, unloading and reloading could be done without great difficulty; according to the Lebanese Armed Forces, the practice was common before their deployment. Some onlookers claimed that it continued. A number of children and teenagers were seen freely crossing the dry border river several times.

**Area where road leads to border 1 kilometre east of El Qasr town (location IV)**

132. A small village is encircled by a creek marking the border with the Syrian Arab Republic, forming a pocket inside Syrian territory. In most places the creek is 0.5 to 1 metre wide and between 10 and 40 cm deep. The only legal access to the

village from the Lebanese side is through a permanent checkpoint of the Lebanese Armed Forces at a small bridge. Inside the village, an abnormal amount of goods was observed, in particular cement. The village appeared to be a stage for smuggling activities.

133. There were no posts of the Lebanese Armed Forces in the village, thus making access relatively unhindered to the village from the Syrian side. Some Syrian military posts were seen very close to the creek at a point where a track crossed from both sides. The track was obviously used frequently. A few observation posts of the Lebanese Armed Forces were seen in the hinterland as a second line of control. The location of observation posts would appear to have been chosen more for the purposes of territorial defence than for border security.

**Area where road leads to border at Haouch Beit Ismail town (location V)**

134. A road located in flatlands leads to the border, but is blocked by walls of sand. A checkpoint of the Lebanese Armed Forces is located there, fortified with sandbags. A few observation posts were observed and appeared to be adequate for surveillance of the area. All posts were visible and lightly fortified.

**Zone (Ard el Qamar) between the Kaa border crossing facilities and the physical border (location VI)**

135. The zone is bordered by hills to the south-east, the river Assi to the north-west, the border river to the north-east and the El Kaa/El Hermel road to the south-west. It is primarily used for sheep herding and agriculture and lies on both sides of a paved road approximately 11 kilometres long from the border crossing point facilities at El Kaa to the bridge over the river marking the physical border. Inside the zone, there are approximately 3,000 permanent residents and an additional 2,000 seasonal farm workers.

136. The zone is randomly patrolled by units of the Lebanese Armed Forces, either mechanized or on foot as a first line of control. It is cordoned off by observation posts and mobile patrols of the Lebanese Armed Forces as a second line of control. Inside the zone, a 16-man strong foot patrol was observed, very visible and moving in typical military combat formation. A few observation posts of the Lebanese Armed Forces were seen in the hinterland as a second line of control. The location of observation posts would appear to have been chosen more for the purposes of territorial defence than for ensuring border security. The location of the border crossing facilities in Kaa 11 kilometres from the physical border makes the zone suitable for crossing or as a holding area for people who have crossed the border illegally.

**Lebanese area east of Anti-Lebanon mountain range (Jabal Lubnan Al Sharqi) (location VII)**

137. The village of Tfail forms a pocket in Syrian territory, accessible only from the Lebanese side by four-wheel-drive vehicles, but easily accessible from the Syrian Arab Republic by normal roads. The gravel road leading to the eastern side of the mountain range reaching more than 1,500 metres in altitude descends to a relatively flat highland. The mountainous area of the pocket is used solely for sheep herding, while the flat land is primarily used for fruit production and agriculture.

138. The area is largely uncontrolled by the Lebanese Armed Forces, excluding a very small number of random patrols. There is no first line of control. All traffic of vehicles, persons, supplies and trade flows unhindered and uncontrolled by the Lebanese authorities to and from the Syrian Arab Republic. The area is cordoned off by observation posts located in the mountains, as a second line of control, and by checkpoints at major roads leading to the mountains from the Lebanese side, as a third line.

139. On the Team's way to the pocket along one road, a checkpoint was observed on the northern outskirts of the village of Ham. The checkpoint was permanent, lightly fortified and reinforced by an armoured personnel carrier. While crossing the ridge, the Team observed two fixed observation posts of the Lebanese Armed Forces overlooking the road. On the way back along another road, no observation posts were observed. A combined checkpoint/encampment was the first presence of the Lebanese Armed Forces observed on that particular road, but it was located in the village of Ham at the foot of the mountains.

140. The use of the road for illegal border-crossing activities seems to have been confirmed by the fact that, returning from the pocket, the Team observed a vehicle loaded with fuel barrels abandoned and stuck by the road, another vehicle leaving the road into a group of trees when approached and a third vehicle, checked by our escort from the Internal Security Force, encountered en route to the pocket, loaded with dozens of empty jerry cans.

141. No mobile patrols were seen during the five hours spent by the Team in the pocket. The almost completely uncontrolled pocket presents good conditions for staging illegal border crossings and as a storage area for such activities, in particular because the Palestinian military cross-border stronghold near Maaraboun neighbours the pocket. The location of the few observation posts and checkpoints would appear to have been chosen more for the purposes of territorial defence than for ensuring border security.

**Location of Palestinian cross-border stronghold east of Qoussaya town (location VIII)**

142. The Palestinian stronghold is located around the mountain ridge of Er Rouss overlooking the Békaa Valley. The Palestinian area extends from Lebanese territory into the Syrian Arab Republic, with the official borderline running through the area. There is no presence of Lebanese authorities in the Palestinian-controlled area, leaving the border itself uncontrolled and to some extent outside the vision of the Lebanese Armed Forces. The Team did not have access to the Palestinian-controlled area. The completely uncontrolled area creates very good conditions for illegal and unhindered cross-border activities, as recently documented by information received by the Team from the Lebanese Government. The information is identical to that reported to the Security Council by the Special Envoy for the Implementation of resolution 1559 (2004).

143. The Palestinian area itself is cordoned off by checkpoints and observation posts of the Lebanese Armed Forces. Their location would appear to have been chosen more for the purposes of territorial defence than for ensuring border security, given that they are conspicuous and heavily fortified by armoured personnel carriers.

**Location of disputed territory around Deir el Aachayer town (location IX)**

144. The disputed territory consists of an enclave claimed by the Syrian Arab Republic that reaches approximately 10 kilometres into Lebanon and 2 to 4 kilometres wide; it includes the highgrounds south-east of the Damascus highway. The enclave is currently under complete Syrian control and is de facto attached to the Syrian Arab Republic.

145. The Lebanese Armed Forces have adapted to the present situation by creating an encircling control line by heavily fortifying positions, including with the aid of armoured personnel carriers and tanks. The location of observation posts which are conspicuous and deterrent in nature, appears to have been chosen more for the purposes of territorial defence than for ensuring border security.

**Location of Palestinian cross-border stronghold at Haloua (location X)**

146. The Palestinian stronghold adjacent to the disputed area under location IX is located in the valley leading from Haloua to the Damascus highway and the surrounding high ground. It extends from Lebanese territory north-east in to the Syrian Arab Republic proper; the official border runs through the area and touches the disputed area (IX) to the south-east.

147. There is no presence of Lebanese authority in the Palestinian-controlled area; the border itself is uncontrolled and to some extent outside the vision of the Lebanese Armed Forces. The area is cordoned off by checkpoints and observation posts of the Lebanese Armed Forces. The location of checkpoints and observation posts, which are conspicuous and heavily fortified by armoured personnel carriers and tanks, appears to have been chosen more for the purposes of territorial defence than for ensuring border security. The Team was unable to enter the Palestinian-controlled area.

148. The completely uncontrolled area creates highly favourable conditions for illegal and unhindered cross-border activities.

**Assessment from the air of the border and surrounding area from the Arida border crossing point to Rayak (location XI)**

149. In order to comprehend fully the diverse nature of the terrain, an assessment from the air was conducted with the aid of a helicopter provided by the Lebanese Air Force. The flight followed the northern border from Arida eastwards to the border crossing point at Bokayaa, turning south-east along the border to Kaa. From there, the Team flew south-west along the western slopes of the Anti-Lebanon mountains to Baalbek. South of Baalbek, the flight kept some distance from the border, avoiding the Palestinian military strongholds at Maaraboun and Qussaya.

150. In general, the assessment from the air confirmed the Team's observations on the ground, particularly those concerning the difficulties for border control. It also clearly confirmed that the very diverse terrain offers many possible routes of access for illegal cross-border activities. A large number of cross-border trails that could be used by four-wheel-drive vehicles were seen. The numerous valleys, dry riverbeds and mountain trails provide many opportunities for illegal activity that cannot be countered by static observation posts along or near the border.

151. At the same time, the assessment also revealed the strength of border surveillance from the air, as both the helicopter crew and the Team frequently identified either suitable locations or options for illegal activities that would be very difficult on the ground. A number of suspicious vehicles and activities sighted would have called for interception had the assessment been conducted by a border security patrol. The Team even observed permanent pipes for the smuggling of fuel over the border downhill to Lebanese lowland.

### 3. Partial assessment, analysis and conclusions

152. The lack of operational cooperation and coordination is evident. Combining the capabilities of several agencies does not appear to be a desired option. All agencies appear self-contained and do not actively seek joint operations or planning; the possibility of any synergy is therefore lost. In particular, the lack of joint operations based on joint planning presents a multitude of missed opportunities. A system that ensures the use of the collective capabilities of the agencies for operational purposes is needed.

153. There is a lack of joint intelligence gathering and analysis in order to, inter alia, identify profitable targets for operations based on the total sum of intelligence and information from all involved agencies. Military intelligence seems to have established itself as the leading intelligence source, occasionally sharing information with the other agencies. It is still reliant on its own intelligence plus what other intelligence services choose to convey to it. There is a definite need to establish a common intelligence and analysis unit to ensure that information and intelligence are not lost or incorrectly stored.

154. It is evident that the Lebanese Armed Forces lack personnel resources, which forces them to prioritize border defence over border security. It is in particular clear that the majority of personnel are used for static defence positions rather than for fast and flexible mobile patrols focusing on illegal border activities. With the multitude of tasks given to them, the Lebanese Armed Forces are clearly overstretched, in particular during active fighting or when countering enhanced security threats.

155. The Customs Brigade is understaffed. Its desired operating strength is 2,635, but it only has 1,320. This shortfall obviously limits its ability to perform operations.

156. The task of securing the Green Border is new to the Lebanese Armed Forces and does not fall inside what is normally considered a military task. They have problems adapting known military doctrines to their new responsibility for the prevention of illegal cross-border activities on the Green Border. Although the Lebanese Armed Forces appear to do their best under the given conditions and the personnel seem both vigilant and observant, the personnel deployed are best suited to traditional combat situations. The lack of resources probably also plays its role.

157. The result is that the Lebanese Armed Forces are actually addressing a civilian problem with military doctrines, sending a signal to both the population and their own personnel that the main priority is defence of the territory rather than the prevention of arms smuggling. Although that priority might be understandable, it also prevents both the Lebanese Armed Forces and other border security agencies

from focusing on smuggling. A change of emphasis, from military doctrine to civilian border control, is needed in order to ensure high efficiency in the latter.

158. The many legal and semi-legal near- and cross-border activities in combination with "accepted" smuggling blurs the picture of the border, making it difficult to distinguish the serious illegal cross-border activities, such as commercial smuggling and arms smuggling, from the others. There is a need to separate legal, semi-legal and accepted smuggling from more serious border crimes, making the latter a more visible and recognizable target.

159. The dilemma of petty smugglers losing their income and families their livelihood if border security is tightened must be solved through socio-economic projects. Without such projects, the elimination or reduction of that particular traffic will continue to blur the picture of cross-border activities, in particular because the tendency of the border security agencies present to ignore those particular activities will most likely continue. Consequently, failure to solve or reduce this socio-economical dilemma will preserve an obstacle to effective border security.

160. All agencies involved in Green Border security are insufficiently equipped. Lack of suitable equipment reduces their ability to perform border surveillance adequately in terms of both quantity and quality. There is a need to ensure that these agencies become better equipped, but also to ensure that the equipment is suited to the purposes of border security. There is urgent need in particular for surveillance equipment suitable for night observations and operations, and four-wheel-drive vehicles to ensure a higher level of mobility and less visible patrolling. Reliable communications systems will allow small and light unit patrols to be conducted without having to rely on strength in numbers.

161. The lack of cross-border cooperation is evident. There is no cooperation between the Lebanese agencies on the operational level and their Syrian counterparts. As optimum border security management can only be reached by cooperation of the border agencies on both sides of the border, its absence clearly represents an obstacle to the improvement of border security.

162. The lack of results shown in the field of arms smuggling, even taking into consideration the difficult conditions in which the agencies have to perform, is troubling. It raises the question of whether the current and planned capacity-building efforts will deliver the desired effect. Whatever the reasons might be, it shows that there is a need for a solution that will dramatically increase the risk of detection through ensuring the integrity of enforcing agencies.

163. The inevitable conclusion at the moment is that there is no real alternative to the existing arrangement of four agencies responsible for border security along the Green Border. Ongoing efforts should therefore build on that model and be continued in both the capacity-building and technical reinforcement of those agencies.

164. On the other hand, the existing arrangement will be hard to modify; if more rapid improvement is sought, alternative solutions should be looked into. One solution might be to establish a multi-agency mobile task force working in parallel to the existing arrangement but more focused on arms smuggling. Its task would be, within a relative short period of time, to commence targeted operations based on target-identifying analysis provided by an embedded joint intelligence and analysis

cell. It would combine the best capabilities of the four existing agencies, reinforced by a small team of international border security advisers.

165. The personnel in the unit would be required to have knowledge of all aspects of border security, including documents control, customs procedures and tactical techniques. The unit should be highly skilled and suitably equipped for special operations. It should have a high level of mobility, including an airlift capacity and four-wheel-drive vehicles. A high degree of independence and integrity should be ensured through appropriate command and control mechanisms. The joint intelligence and analysis cell should provide information to all of the four existing agencies. A small, highly efficient unit would increase the likelihood of detection of arms smugglers and thus create a deterrent effect on them in general. Furthermore, if in future a political decision were made to create a dedicated border guard agency, the multi-agency unit could provide a solid foundation for it.

166. A number of measures must be taken to separate legal and illegal border or near-border activities. The current mixing of all sorts of traffic near and on the border makes the task of identifying illegal activities very difficult. In order to reduce the personnel-consuming border surveillance task for the Lebanese Armed Forces and at the same time increase its efficiency, dedicated hi-tech equipment for border security and the air surveillance capability (by means of helicopters and unmanned aerial vehicles) should be boosted.

## C. Conclusions

167. In the recent history of Lebanon, border security at the Syrian border is a new exercise for all the security agencies. Lebanese security agencies have taken substantial measures to secure this section of the country's border against arms smuggling, mostly through the deployment of the Lebanese Armed Forces in the area. Security agencies demonstrate a good level of understanding of the nature of their duties in relation to the provisions of resolution 1701 (2006). Despite those measures, the current border control strategy, the nature of the terrain, the current state of equipment available and training, as well as the processes and infrastructures at official border crossing points make it still possible for arms to be smuggled undetected across the border. The Team would, however, like to point out that, even in an unfavourable environment, the assets and equipment currently available would make it reasonable to expect more success in the detection of cross-border weapons smuggling. Beirut airport and, in particular, Beirut seaport benefit from a more efficient degree of control in the processing of passengers and cargo.

168. The presence of armed Palestinian camps in the border zone constitutes a major obstacle to both the concept of border security and the implementation of an efficient, integrated border security system. In addition, the incomplete delineation of the border with the Syrian Arab Republic further hampers border control and demotivates border security agencies when having to intervene in areas that are not clearly demarked. In that regard, a political agreement is urgently needed. The presence of such obstacles to border security on the Green Border should, however, not distract from the current ease of concealing weaponry and related materiel in the legitimate loads of trucks that pass unhindered through the main land border crossing points.

169. While border security agencies have started to cooperate in the control of the border, their understanding of cooperation is currently limited to a mostly indirect exchange of information and a separation of the areas of responsibility and operation, still far from the implementation of basic aspects of integrated border management. The bulk of the recommendations presented by the Team in section V below relate to means of ensuring, in the short term, higher levels of integration and efficiency among the existing forces, and aimed, in the long term, at the creation of a specialized border control agency. Greater control over all aspects of border security will have to be accompanied by socio-economic programmes aimed at providing an alternative income for the families dependent on the revenue from petty smuggling activities.

## D. Assessment of the implementation of the recommendations of the expert mission dispatched by the Department of Peacekeeping Operations

170. During its visit, the Team analysed the findings of the border police experts sent to Lebanon in September 2006 and March 2007 (see para. 5 above), which have been incorporated into the present report, where appropriate. On the whole, the Team judged that the findings, conclusions and recommendations of the expert mission were in part or in their entirety still valid.

### Concepts and procedures

171. The concept of integrated border management has not made much progress. The four agencies responsible for border security still work side by side on their own mandated tasks, with little coordination and barely any cooperation. No concept of operations for integrated border management has received ministerial approval, although it is partly in the works, prompted and linked exclusively to the German lead pilot project on the northern border. There is no synchronization of operations and procedures in the border crossing point facilities.

172. The idea of coordination and cooperation between border security agencies has seen some progress on the management level, in that the joint Border Security Committee has regular meetings and is promoting the concept. At the local commander level, however, and in particular at the operational level, there is still no significant sign of coordination or cooperation. There is no or very little cooperation or joint operations between the agencies, in particular in the area of forward planning.

173. The sharing of information and intelligence is based on each agency's assessment of whether information falls into the field of responsibility of another. The information and intelligence flow is still almost exclusively vertical, and therefore highly centralized.

174. Progress in locating border crossing point facilities closer to the physical border is slowly being made. Although plans for relocations at Aboudieh, Kaa and Masna do exist, all are pending final planning and funding. Even the border crossing point in Bokayaa, scheduled for opening at the beginning of July 2007, is located some distance from the physical border; plans to move it forward have yet to be decided.

175. The development of standard operating procedures for the border crossing point and its reconstruction to separate incoming and outgoing passengers has not progressed.

**Equipment**

176. The main radar in Beirut seaport has still not been replaced after it was lost in the conflict in 2006. Passport control at the seaport is better manned and has been improved by the installation of basic document examination equipment.

177. Passport control at Beirut International Airport has received basic document examination equipment. However, a procedure requirement that only a supervisor may switch on the equipment limits its effectiveness. An improvement has been seen in the number of female officers, which is now considered adequate. The cargo terminal is now equipped with one — rather antiquated — X-ray machine to supplement manual searches.

178. All border crossing points are now in possession of passport verifiers. At Masnaa, the planned container scanner is still not in place. The scanner is temporarily used at Beirut seaport, pending construction of the foundations at Masnaa. General Customs stated that the funds for the engineering work have not yet been released.

**Training**

179. General training on border-related issues is still not being conducted. Most representatives of the agencies appeared to be waiting for international support in this regard. Some on-the-job training has apparently been held for the use of passport checking equipment, as the officers on the ground seemed to have an adequate knowledge of the equipment.

**General remarks**

180. Overall, progress seems to be moving forward at a slow pace. On the management level of the agencies, there is a declared will to improve border security and consensus on the advantages of the principles of coordination and cooperation and of the concept of integrated border management. Very little information or implementation of measures have been seen at the lower command levels or on the ground.

181. The delaying factor appears to be a reluctance to introduce any new measures in border security until after the evaluation of the pilot project on the northern border. It is worth noting, however, that a number of the recommendations in both the reports of the Department of Peacekeeping Operations and the present report could easily be implemented without external support, significant funding or structural changes and without awaiting the outcome of the pilot project.

# V. Recommendations

182. On the basis of the above assessment, the Lebanon Independent Border Assessment Team makes the recommendations set out below.

**Recommendation 1**

A multi-agency mobile force focusing on arms smuggling should be established with the purpose of ensuring efficient arms seizures through its intelligence and rapid interception capabilities. An additional purpose would be to serve as a role model for the other border security agencies and as a platform for a possible future dedicated border guard agency.

**Recommendation 2**

An intelligence and analysis component embedded within the above-mentioned multi-agency force should be established, with access to all border security relevant intelligence from the four agencies, analysing and providing the four agencies and the multi-agency force with targets that have a high probability of apprehension.

**Recommendation 3**

International border security experts should be deployed to:

(a) The multi-agency force and its embedded intelligence and analysis cell;

(b) All four agencies on all levels, in particular on the operational level, in order to advise on non-military border security aspects and follow up on the training provided;

(c) An advisory secretariat, consisting of both international advisers and representatives from the Lebanese border security agencies, who will collect, analyse and disseminate information and lessons learned.

**Recommendation 4**

A dedicated border guard agency should be established as part of a long-term strategy to streamline border security procedures, gather all expertise, information and intelligence in one agency, thereby freeing resources of, in particular, the Lebanese Armed Forces and General Security for their traditional tasks.

**Recommendation 5**

Full and absolute control should be established over border crossing points, by:

(a) Creating standard operating procedures for border crossing points, including regulations for any movement inside the control area of persons, vehicles and goods; standardized compulsory measures for checking compliance; anti-corruption mechanisms; and so on;

(b) Implementing a one-stop-control philosophy, whereby all components of person and cargo control are jointly performed in one place by the agencies concerned;

(c) Fencing the perimeter of the control area;

(d) Redesigning building locations and layout where appropriate.

**Recommendation 6**

Measures to separate legal and illegal near-border or border-crossing activities should be implemented with the purpose of creating a transparent and unambiguous environment, including:

(a) Blocking the maximum number of border crossing roads and trails and non-vital roads in near-border areas;

(b) Establishing mechanisms for cross-border social movement with dedicated crossing points;

(c) Increasing the number of legal border crossing points by establishing a number of small crossings for light traffic and social movement, where appropriate;

(d) Clearly marking the agreed parts of the line;

(e) Moving border crossing point facilities to a physical border;

(f) Combating smuggling traditions through socio-economic programmes offering an alternative income for petty smugglers in order to decrease their numbers.

**Recommendation 7**

Training programmes for the four agencies and all levels within them should be established in order to transform border security concepts and doctrines into a highly professional and skilled civilian approach, where possible building on or drawing from the training experience of the northern border pilot project, including, among other aspects:

(a) Cross-agency competencies;

(b) Search techniques and knowledge of explosives manufacturing components;

(c) Profiling techniques, intelligence gathering and risk analysis;

(d) Approach to coordination and integrated border management;

(e) Non-military border security tactical skills;

(f) Integrated border management concept training including studies outside Lebanon.

**Recommendation 8**

Border-specific equipment support for all agencies should be continued and enhanced, with the purpose of increasing efficiency and serving as force multipliers, including:

(a) Surveillance equipment suitable for night observations and operations;

(b) Surveillance equipment suitable for surveillance from the air (for example, helicopters and unmanned aerial vehicles);

(c) Four-wheel-drive vehicles to ensure a higher level of mobility and less conspicuous patrolling;

(d) Reliable communications systems permitting small and light unit patrols to be performed without having to rely on strength in numbers;

(e) Cargo scanners at certain border crossing points, hand-held metal detectors, density and explosives detectors;

(f) Additional basic and advanced document checking equipment;

(g) Explosive-sniffing dogs and canine patrols.

**Recommendation 9**

Information technology capacity and capabilities should be improved by:

(a) Upgrading existing data-storage capacities;

(b) Improving or establishing inter-agency computerized information exchange;

(c) Implementing a system of central registration of fingerprints for identification card and passport holders.

**Recommendation 10**

A reward system for outstanding professional performances should be established.

**Recommendation 11**

Cooperation with Syrian counterparts should be established, in particular at the operational level, making border security management a joint effort to secure the border and prevent illegal cross-border activities.

# Annex I

## Visits and meetings of the Lebanon Independent Border Assessment Team

**Sunday, 27 May 2007**

Arrival in Beirut

**Monday, 28 May 2007**

Meetings with:

- Major General Ashraf Riffi, Chief of Internal Security Forces and Head of the Border Security Committee
- Milos Strugar, Director of Civilian/Political Affairs of the United Nations Interim Force in Lebanon
- Geir O. Pedersen, Personal Representative of the Secretary-General for Lebanon

**Tuesday, 29 May 2007**

Meetings with:

- General Wafic Jezzini, General Security, Director General
- General Assad Ghanem, General Customs, Director General
- General Siham Harakeh, General Security
- Border Security Committee

**Wednesday, 30 May 2007**

Meetings with:

- General Michel Sleimann, Commander of the Lebanese Armed Forces
- German Pilot Project Team, General Detlef Karioth
- Informal Donor Coordination Group

**Thursday, 31 May 2007**

Meetings with:

- Beirut seaport, Director General Hassan Kraytem
- Beirut airport

**Friday, 1 June 2007**

Visits to:

- Kaa border crossing point
- Green Border location near El Qasr (location IV)

- Green Border location at Haouch Beit Ismail (location V)
- Green Border location between Kaa and Beit Hira (location VI)

Saturday, 2 June 2007

Visits to:

- Green Border location near Qoussaya (location VIII)
- Masnaa border crossing point
- Green Border area near Deir el Aachayer (location IX)

Monday, 4 June 2007

Visits to:

- Masnaa border crossing point
- Governor of Bekaa and Chtaura Provinces, Antoine Suleiman in Zahle
- General Customs Regional Director of Bekaa Region, Fouard Harb in Chtaura

Tuesday, 5 June 2007

Visits to:

- Arida border crossing point
- Green Border area between Arida and Tell Bin (location I)
- Aboudieh border crossing point
- Green Border location near Aboudieh (location II)
- Bokayaa border crossing point
- Green Border area east of Sahlet el Bqaiaa pocket (location III)

Wednesday, 6 June 2007

Meetings with:

- Senior Adviser to the Prime Minister, Mohammad Shattar
- Geir O. Pedersen, Personal Representative of the Secretary General for Lebanon

Thursday, 7 June 2007

Meetings with:

- General Customs Director General, Assad Ghanem, in Beirut
- General Customs, Audit and Anti-smuggling Division Chief, Ahmad Naser, in Beirut

Friday, 8 June 2007

Visit to:

- Implementation Unit for Northern Border Pilot Project, Col. Hamid Iskandar, in Ministry of Defence, Beirut

Monday, 11 June 2007

Meetings with:

- Senior Protection Officer of the United Nations High Commissioner for Refugees, Ayaki Ito
- German Pilot Project Team, General Detlef Karioth

Tuesday, 12 June 2007

Visits to:

- Green Border location at Jabal Lubnan Al Sharqi pocket (location VII)
- Green Border location near Haloua (location X)

Wednesday, 13 June 2007

Meetings with:

- Civil Aviation Authority, General Director Hamdi Shawk
- Major General Ashraf Riffi, Chief of Internal Security Forces and Head of the Border Security Committee

Thursday, 14 June 2007

Meetings with:

- Informal Donor Coordination Group
- Border Security Committee
- Prime Minister Fouad Siniora

Friday, 15 June 2007

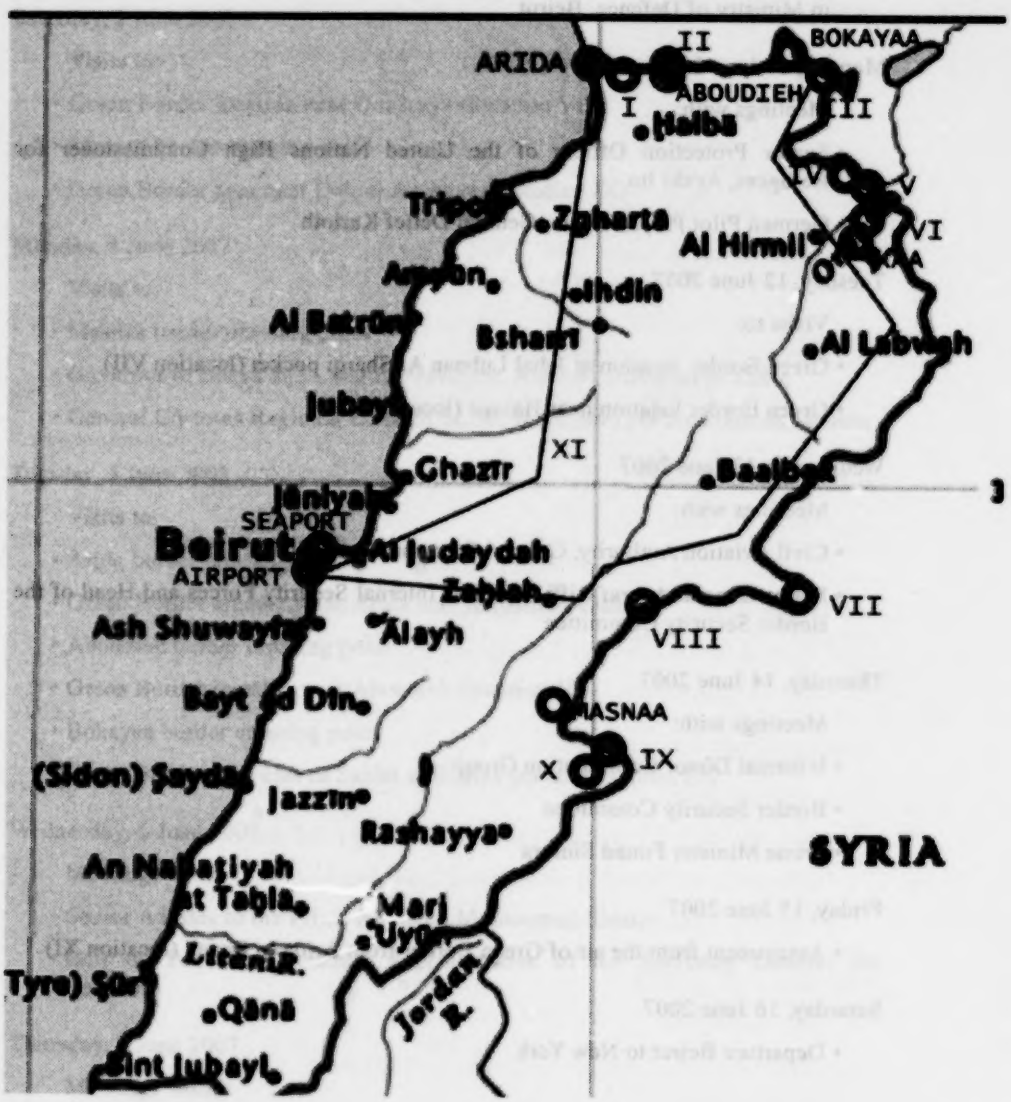
- Assessment from the air of Green Border from Arida to Rayak (location XI)

Saturday, 16 June 2007

- Departure Beirut to New York

## Annex II

### Map of border crossing points and field visits




Border crossing point

Green Border location field visit

XI Route of border assessment from the air

# Annex III

## Terms of reference of the Lebanon Independent Border Assessment Team

### Introduction

1. In paragraph 14 of its resolution 1701 (2006), the Security Council calls upon the Government of Lebanon to secure its borders and other entry points to prevent the entry in Lebanon without its consent of arms or related materiel. In paragraph 15 of the same resolution, the Council outlines measures that States should take to prevent the supply of arms or other military assistance to any entity or individual other than those authorized by the Government of Lebanon or the United Nations Interim Force in Lebanon.

2. In its presidential statement of 12 December 2006 (S/PRST/2006/52), the Council, responding to the letter of the Secretary-General dated 1 December 2006 (S/2006/933) to its President, noted the conclusions of a United Nations team of border police experts, dispatched in September 2006 by the Secretary-General at the request of the Government of Lebanon, and invited the Secretary-General to pursue further technical and independent assessment of the situation along the border and to report back to the Council on further findings and recommendations.

3. In his report of 14 March 2007 on the implementation of resolution 1701 (2006) (S/2007/147), the Secretary-General notes the second visit of the team of border police experts during the reporting period and its observations that a lack of critical equipment and training provided to the relevant Lebanese authorities continued to hamper serious efforts to properly secure the Lebanese land border with the Syrian Arab Republic. The Secretary-General called for further urgent assistance to be provided to the Lebanese authorities, in particular to enhance their border security capacities, and welcomed the ongoing bilateral assistance that was being provided by the Government of Germany in that regard.

4. The Secretary-General also suggested that the Security Council consider supporting further steps, such as an independent assessment mission, to ensure the full implementation of paragraph 15 of resolution 1701 (2006), including the arms embargo. In its presidential statement of 17 April 2007 (S/PRST/2007/12), the Council welcomed the Secretary-General's intention to evaluate the situation along the entire Lebanese-Syrian border, and invited him to dispatch at the earliest, in close liaison with the Lebanese Government, an independent assessment mission to fully assess the monitoring of the border and to report back to the Council on its findings and recommendations in that regard.

### Mandate

5. In close liaison with all relevant Lebanese authorities, including the recently appointed Border Security Committee and its member agencies, including the Lebanese Armed Forces, the Internal Security Force, General Security and General Customs, as well as other interested parties that the Team may need to talk to, the Team shall fully assess current border security and the monitoring of the Green Border, including its official crossing points.

6. The Team shall provide specific recommendations to the Secretary-General on measures and assistance strategies leading to the enhancement of border security along the entire length of the 320 km border, shared by Lebanon with the Syrian Arab Republic.

7. The Team shall review the roles of all the above-mentioned agencies, with particular attention to current national customs and border monitoring capacities, as well as progress made by security and customs agencies in strengthening their control over the border, in compliance with resolution 1701 (2006), and identify major obstacles hindering the effective strengthening of that control.

8. The Team shall analyse the findings of the two previous visits by the border police expert team to Lebanon (September 2006 and February 2007) and build on its recommendations, with a focus on the designing of an integrated border management project and possible training and development opportunities, working in close consultation with the above-mentioned agencies and with German experts currently conducting a bilateral assistance pilot project on border security enhancement in the north of the country.

9. The Team shall also liaise closely with the aforementioned German team and with above-mentioned agencies and develop a set of standards for border entry points, including recommendations on the reconstruction and refurbishment of critical infrastructure along the border.

**Main activities**

10. The main activities recommended for the Team shall include:

(a) To meet with relevant Lebanese security agencies, United Nations, bilateral partners and other relevant parties to discuss and enquire into all aspects of efforts to ensure the security of the Lebanese-Syrian border;

(b) To visit and inspect multiple points along the Green Border and the official crossing points between Lebanon and the Syrian Arab Republic;

(c) To review existing security arrangements, types of equipment in use by the relevant Lebanese authorities and other official procedures in use at official crossings;

(d) To consult closely with the previous team of border police experts, relevant German experts and others providing border security assessments or technical assistance, in making any further recommendations on assistance, training and equipment to be provided to enhance border security.

11. Specifically, it is recommended that in Lebanon, the Team shall liaise closely with the Government of Lebanon and shall for that purpose endeavour to meet and liaise with the following interlocutors, among others:

(a) Prime Minister, ministers for the Defence and the Interior and other relevant Government officials;

(b) Lebanese Armed Forces Commander;

(c) Heads of the Internal Security Force, General Security, military intelligence;

(d) Lebanese Chiefs of Police and other border services (Customs and Immigrations).

**Qualifications and appointment**

12. Appointed by the Secretary-General, the Team should be small and comprise senior border security, police and customs officials, and possibly military experts, who will be employed by the United Nations on a full-time basis for a period of up to two months. The experts could be seconded for the purpose of this task from Member States that have personnel with the relevant experience and expertise. Assistance could also be provided by United Nations personnel (current or former) as deemed appropriate.

13. All members of the Team shall have the status of experts on mission for the United Nations. They shall benefit from the privileges and immunities provided for in articles VI and VII of the Convention on the Privileges and Immunities of the United Nations during their mission. They shall be subject to the Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials and Experts on Mission, as adopted by the General Assembly in its resolution 56/280 of 27 March 2002.

**Logistics and support**

14. The Department of Political Affairs will be the lead Department in support of the Team and will continue to work in close consultation with relevant United Nations departments and agencies, particularly the Department of Peacekeeping Operations.

15. Lebanese authorities, relevant United Nations agencies and missions in Lebanon or elsewhere in the region will support the Team in Lebanon with all required logistical and security-related assistance and facilitate all transportation and travel as necessary.

**Cooperation with the Government of Lebanon**

16. The Government of Lebanon shall ensure the freedom of movement of the members of the Team and of its secretariat throughout Lebanon.

17. The Government of Lebanon shall ensure the security of the members of the Team and their secretariat while deployed in Lebanon.

18. The Team shall enjoy the full cooperation of the Government of Lebanon and, in particular, of the Government agencies mentioned in the terms of reference. The Team should be accompanied by the competent Lebanese authorities during field visits.

19. The Government of Lebanon shall accord (a) the members of the Team the privileges and immunities, facilities and exemptions enjoyed by experts on mission for the United Nations, as provided for in articles VI and VII of the Convention on the Privileges and Immunities of the United Nations, to which Lebanon is party, and (b) the secretariat of the Team the privileges and immunities, facilities and exemptions enjoyed by officials of the United Nations, as provided for in articles V and VII of that Convention.

**Reporting**

20. A detailed report on the Team's findings, containing options, recommendations and follow-up steps, shall be submitted for the attention of the Secretary-General not later than two weeks after the completion of field visits.

**Funding**

21. Subject to the approval of the Secretary-General, the Team shall be funded from the Secretary-General's unforeseen and extraordinary budget account.

United Nations A/61/985–S/2007/383

General Assembly
Security Council

Distr.: General
27 June 2007

Original: English

**General Assembly**
**Sixty-first session**
Agenda item 19
**Question of Cyprus**

**Security Council**
**Sixty-second year**

## Letter dated 22 June 2007 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 21 June 2007 addressed to you by Kemal Gökeri, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 19, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

07-40087 (E) 030707

## Annex to the letter dated 22 June 2007 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

21 June 2007

Upon instructions from my Government, I have the honour to refer to the letter dated 13 June 2007, addressed to you by Greek Cypriot representative and circulated as a document of the General Assembly and of the Security Council (A/61/956-S/2007/362), which yet again contains well-known allegations of violations of "international air traffic regulations and the national airspace of the Republic of Cyprus", and to bring to your kind attention the following:

As stated in our previous communications addressed to you, most recently in my letter dated 24 April 2007 (A/61/881-S/2007/233), repeated allegations by the Greek Cypriot side of so-called "airspace violations" are totally unfounded and are rejected in toto by our authorities. The present allegations do not merit a detailed reply as they are of a similar nature. However, I wish to emphasize, once again, that flights within the sovereign airspace and flight information region of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State. The Greek Cypriot administration in South Cyprus has no jurisdiction or right of say over flights within the national airspace of the Turkish Republic of Northern Cyprus. Furthermore, it should be emphasized that allegations of so-called violations of air traffic regulations are invalid, as the civil aviation authority of the Turkish Republic of Northern Cyprus is the only competent authority to provide air traffic and aeronautical information services.

The Greek Cypriot administration should be reminded, once again, that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey. I also deem it imperative to point out, once again, that the attitude demonstrated by the Greek Cypriot representatives in their constant repetition of false claims is nothing more than rhetoric, which unfortunately wastes the precious time and energy of the international community. They would do better to concentrate on taking concrete steps towards the achievement of a fair and just settlement in Cyprus within the context of your mission of good offices.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 19, and of the Security Council.

(*Signed*) M. Kemal **Gökeri**
Representative
Turkish Republic of Northern Cyprus

United Nations A/61/984–S/2007/384

General Assembly
Security Council

Distr.: General
27 June 2007

Original: English

**General Assembly**
**Sixty-first session**
Agenda items 11, 17, 27, 44, 50, 53, 67, 85, 98, 99, 100 and 157

**Prevention of armed conflict**

**The situation in the occupied territories of Azerbaijan**

**Protracted conflicts in the GUAM area and their implications for international peace, security and development**

**Culture of peace**

**Information and communication technologies for development**

**Sustainable development**

**Promotion and protection of human rights**

**Developments in the field of information and telecommunications in the context of international security**

**Crime prevention and criminal justice**

**International drug control**

**Measures to eliminate international terrorism**

**Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies**

**Security Council**
**Sixty-second year**

## Letter dated 25 June 2007 from the Permanent Representatives of Azerbaijan, Georgia, Moldova and Ukraine to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the following GUAM (Georgia, Ukraine, Azerbaijan, Moldova) documents: the Baku Declaration (see annex I), the GUAM Summit communiqué (see annex II), the Communiqué of the GUAM-Poland meeting (see annex III), the GUAM-United States joint statement (see annex IV)

07-40045 (E) 050707 100707

and the joint press statement of the GUAM-Japan meeting (see annex V) adopted at the Summit of the Organization for Democracy and Economic Development — GUAM held in Baku on 18 and 19 June 2007.

We should be grateful if the present letter and its annexes could be circulated as a document of the General Assembly, under agenda items 11, 17, 27, 44, 50, 53, 67, 85, 98, 99, 100 and 157, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Permanent Representative of the Republic of Azerbaijan

(*Signed*) Irakli **Alasania**
Permanent Representative of Georgia

(*Signed*) Alexei **Tulbure**
Permanent Representative of the Republic of Moldova

(*Signed*) Yuriy **Sergeyev**
Permanent Representative of Ukraine

## Annex I to the letter dated 25 June 2007 from the Permanent Representatives of Azerbaijan, Georgia, Moldova and Ukraine to the United Nations addressed to the Secretary-General

[Original: Russian]

# Baku Declaration
# "GUAM: Bringing Continents Together"

**Second meeting of the Council of Heads of State**
**Baku, 19 June 2007**

The Council of Heads of State of the GUAM Organization for Democracy and Economic Development,

*Guided by* the Charter of the GUAM Organization for Democracy and Economic Development (hereinafter referred to as GUAM) and also the principles and norms of international law,

*Mindful of* the fact that, 10 years ago, the GUAM States united in the determination jointly to confront common dangers and threats to peace, security and stability,

*Recognizing with satisfaction* that, during these years, GUAM has successfully developed a vision of its strategic goals and expanded the scope of cooperation to the horizons of economic, parliamentary, cultural and humanitarian interaction, and has been transformed into a full-fledged international regional organization,

*Noting* that a reliable foundation of cooperation based on a commonality of interests and the principles of equality, mutual respect and support has ensured the entry of GUAM into international life and created the conditions for developing its transregional role as an international structure that brings continents together,

*Welcoming* the broad international participation at the highest level at the Baku Summit and *considering* it evidence of the growing support for GUAM and of the promising prospects for developing its cooperation with country partners and other international organizations,

*Stressing* the fact that cooperation is being carried out in the interests of ensuring the democratic stability and dynamic development of the GUAM States in all spheres and plays an exclusively positive role in the process of their global and regional integration,

*Highly appraising* the spiritual and cultural heritage of the peoples of the GUAM countries and *expressing* a readiness to assist in promoting the value of the diversity of cultures and ethnic communities and strengthening the spirit of tolerance,

*Expressing* profound concern in connection with the ongoing crises and growing security threats emanating from international terrorism, aggressive separatism and extremism and other dangerous crimes linked to them, and, in this connection, *drawing the attention* of the international community to the complexity, gravity and the large scale of these problems encountered by the GUAM States,

1. Confirms its determination to expand cooperation in order to promote democratic values, the rule of law, respect for human rights and fundamental freedoms, achieve stable socio-economic development, and ensure security and stability in the GUAM region;

2. Declares its unswerving aspiration to strengthen the regional significance and position of GUAM by consolidating common interests and increasing sectoral cooperation. It considers it necessary to make full use of the socio-economic, transport, energy, scientific and technical, humanitarian, legislative and law-enforcement potential of the member States in order to create a common space for integration and security in the GUAM region. In this regard, the strategy for developing sectoral cooperation is adopted;

3. Welcomes the growing interest of other States and international organizations in establishing partnerships and expanding mutually advantageous cooperation with GUAM, and instructs that active steps be taken to develop the common European, trans-Atlantic, Black Sea, trans-Caspian and Asian areas of focus for the activities of GUAM;

4. Underscores the key geographic location and strategic importance of the GUAM member States, whose territories constitute a natural corridor between Europe and Asia. In order to promote the all-round development of this corridor, it instructs that efforts be stepped up to make use of the transit potential of GUAM and to attract international support and investments. It notes, in this context, the importance of harmonizing legislation, eliminating barriers to economic and trade relations, developing infrastructure, expanding cooperation to ensure the effectiveness and security of transport corridors, and jointly combating terrorism, organized crime, the illegal spread of narcotic drugs and other dangerous types of crime;

5. Expresses the desire to participate actively in strengthening global energy security and supporting further efforts to detect new sources of hydrocarbon resources and a readiness to make available the territories of the member States for transporting such resources to world markets, and underscores the need for further cooperation in investigating and developing alternative and renewable types of energy;

6. Declares the importance of developing an intercommunal and interconfessional dialogue and protecting the rights of persons belonging to national minorities within the internationally recognized borders of States in order to settle conflicts, maintain international security, strengthen mutual understanding and create favourable conditions for the harmonious development of global and regional integration, and instructs that corresponding international initiatives on the part of GUAM be developed;

7. Affirms the need to continue joint active steps to settle the protracted conflicts in the GUAM region on the basis of observing the principles of sovereignty, territorial integrity and the inviolability of the internationally recognized borders of States in accordance with the provisions of the joint declaration of the GUAM heads of State on the issue of conflict settlement, and also the importance of mobilizing the support of the international community in order to resolve these conflicts. It expresses its belief in the absolute need for and the justness and lasting effectiveness of resolving conflicts through the reintegration of

the territories affected by them into the political, legal and socio-economic system of the State, their complete rehabilitation, the return of displaced populations to their places of permanent residence, the reconstruction of transport routes and ensuring peaceful coexistence and cooperation among the communities in these territories;

8. Notes with satisfaction the transformation of GUAM into an international regional organization, including the establishment of its secretariat, and underscores in particular the fact that the Baku Summit is taking place on the tenth anniversary of GUAM. In this connection, it instructs the party holding the chairmanship, in cooperation with the secretariat, to carry out international celebratory events with the participation of the member States.

## Annex II to the letter dated 25 June 2007 from the Permanent Representatives of Azerbaijan, Georgia, Moldova and Ukraine to the United Nations addressed to the Secretary-General

[Original: Russian]

## Baku GUAM Summit communiqué

**Second meeting of the Council of Heads of State**
**Baku, 19 June 2007**

The second summit of the GUAM (Georgia, Ukraine, Azerbaijan and Moldova) Organization for Democracy and Economic Development, entitled "GUAM: Bringing Continents Together", was held in Baku, Azerbaijan on 18 and 19 June 2007. The regular meetings of the Council of Heads of State and the Council of Ministers for Foreign Affairs, meetings between GUAM and the United States of America, Japan and Poland, respectively, the meeting of the Council of National Coordinators, joint meetings of the heads of sectoral ministries and agencies and other events took place at the summit.

The Council of Heads of State expanded the format of its meeting between the Presidents of the Republic of Azerbaijan, Georgia and Ukraine and the Prime Minister of the Republic of Moldova to include the following special guests: the Presidents of Lithuania, Poland and Romania, the Vice-President of Bulgaria, the Deputy Speaker of Estonia, the Minister of the Economy of Latvia, high-level representatives of the United States of America, Japan, the Organization for Security and Cooperation in Europe (OSCE), the Black Sea Economic Cooperation Organization and the United Nations Educational, Scientific and Cultural Organization (UNESCO) and heads of diplomatic missions accredited to Azerbaijan.

The Council expressed its gratitude to Ukrainian President Victor Yushchenko for successfully presiding over GUAM during the period between the Kyiv and Baku summits. Chairmanship of the Organization was transferred to the Republic of Azerbaijan.

The Council noted that the Baku summit was taking place on the tenth anniversary of the meeting of the four heads of State in Strasbourg on 10 October 1997, which laid the basis for GUAM cooperation and integration.

The Council emphasized the steady rise by GUAM in influence and authority, which attested to the international community's support for GUAM and the fact that the Organization was developing in the right direction.

The Council signed the Baku Declaration, entitled "GUAM: Bringing Continents Together", at the summit of the GUAM Organization for Democracy and Economic Development, where it reaffirmed the shared interests and approaches of the member States and their desire to establish a common space for integration and security in the GUAM region.

There were discussions at the summit of pressing matters concerning the development of the Organization and implementation of the decisions of the 2006 Kyiv summit, and the start of activities of the GUAM secretariat was noted. The Council approved the GUAM chairmanship programme of the Republic of Azerbaijan, plans for cooperation with international organizations and the events

calendar. The 2007 GUAM budget was approved, draft budgets for 2008 to 2010 were drawn up and other decisions required for the operations of the Organization were adopted.

With respect to cooperation between member States, primary importance was attached to the use of the transit capacity and role of GUAM as a link between Europe and Asia. It was noted that GUAM has contributed significantly to bringing the continents closer, finding common ground and approaches for addressing urgent problems, developing dialogue among civilizations and cultures and eliminating stereotypes which thwart international understanding and cooperation. In this context, the importance of expanding Black Sea and trans-Caspian partnership and cooperation was emphasized.

The agreement on international multimodal transport of goods signed within the framework of the summit will promote the establishment of an effective and flexible transportation and conveyance system, the development of transportation infrastructures, investment in these areas and, in general, lasting bridge-building between Europe and Asia.

The Council reaffirmed the firm commitment of GUAM member States to the maintenance of democratic values and the rule of law, the establishment of civil society, respect for human rights and ensuring sustainable development as well as the efforts of the Organization to strengthen international and regional security and stability.

The participants in the summit gave particular attention to issues involving threats and challenges to security, including international terrorism, aggressive separatism and extremism and transnational organized crime. The heads of State emphasized that these threats, including unresolved conflicts and the illegal presence of foreign troops and forces in the territory of GUAM States, continue to adversely affect comprehensive democratic reform and economic development in the region.

The Council reaffirmed the need to continue to take effective joint steps to resolve these conflicts on the basis of observing the principles of sovereignty, territorial integrity and the inviolability of internationally recognized State borders and in accordance with the provisions of the joint declaration of the GUAM heads of State on the issue of conflict settlement as well as on the importance of mobilizing the support of the international community for the position of GUAM.

In this respect, the Council noted the concerted efforts of member States to advance the draft resolution on agenda item 27 of the sixty-first session of the United Nations General Assembly entitled "Protracted conflicts in the GUAM area and their implications for international peace, security and development", and expressed its gratitude to the States which supported this GUAM initiative.

The Council expressed its belief in the absolute need for and the justness and lasting effectiveness of resolving conflicts through the reintegration of the affected territories into the political, legal, social and economic system of the State, their full rehabilitation, the return of the displaced populations to their places of permanent residence, the reconstruction of transport routes and ensuring peaceful coexistence and cooperation among the communities in these territories.

The Council welcomed the growing cooperation between representatives of GUAM countries and other States and international organizations, including the United Nations, OSCE, the Council of Europe, the European Union, the North Atlantic Treaty Organization and UNESCO.

The Council noted the holding of the meeting of the sectoral working groups on economic issues at the level of heads of agencies in conjunction with the regular meeting of the GUAM Business Council within the framework of the summit. There were discussions of the operations in the GUAM Free Trade Area, and the prospects for achieving a new level of cooperation in this area were explored. The Council of Ministers for Foreign Affairs was instructed to study the possibility of establishing a GUAM common market.

The Council commended the high level of cooperation in the area of combating terrorism, organized crime, the spread of drugs and other dangerous types of crime. The Council welcomed the holding of the joint meeting of sectoral working groups on cooperation in the area of law enforcement and security at the level of the heads of the relevant agencies.

The Council explored the prospects for the development of humanitarian cooperation, including in the area of culture, education, health care, youth exchange, tourism and sport. In this connection, the Council welcomed the holding of the joint meeting of the sectoral working groups on humanitarian cooperation within the framework of the summit and took into consideration the signing of the protocol on cooperation in the field of culture for 2007-2010.

After discussing the development of cooperation in the economic, humanitarian, law enforcement and security areas, the Council adopted a strategy for developing GUAM sectoral cooperation, which is designed to give impetus to effective interaction among GUAM States in those areas.

Taking note of the contribution by GUAM to the maintenance of regional and international security and stability, the Council welcomed the conclusion of a memorandum on cooperation and mutual assistance on nuclear and radiation safety within the framework of the summit.

The Council noted with satisfaction the successful implementation of the trade and transport facilitation project and the project to set up the GUAM virtual centre for combating terrorism and the inter-State information analysis system and expressed gratitude to the United States Government for the ongoing effective assistance in implementing these and other cooperation programmes.

The Council welcomed the adoption of the GUAM-United States joint statement, which sets forth the basic areas of and further prospects for partnership.

The first meeting between GUAM and Japan took place at the summit and resulted in the adoption of a statement establishing the basis for actively developing mutually beneficial contacts, especially in the area of transport and communications, energy and the environment.

The GUAM Council of Heads of State met with the President of Poland, who expressed interest in developing cooperation with GUAM. The parties explored the prospects for cooperation, especially in the area of transport, energy and tourism, and gave particular attention to the development of the GUAM transit corridor linking Europe and Asia.

Emphasis was placed on the importance of developing mutually beneficial contacts between GUAM, the European Union and regional organizations and participating in processes and initiatives.

The Council noted the high level of cooperation within the framework of the GUAM Parliamentary Assembly and called on it to actively assist in strengthening the Organization's institutions.

The Council welcomed the holding of the academic conference on the topic "GUAM in the region and the world" on 19 June 2007 in Baku and emphasized the need for regularly conducting similar events with the participation of representatives of the GUAM countries and foreign experts for the purpose of raising awareness about the activities of the Organization, which is of particular importance for the tenth anniversary of GUAM.

Participants in the summit expressed gratitude to the Azerbaijan party for the effective organization of the Baku summit and wished it success in its chairmanship.

The Council decided to conduct its next regular meeting in Tbilisi, Georgia, in June 2008.

## Annex III to the letter dated 25 June 2007 from the Permanent Representatives of Azerbaijan, Georgia, Moldova and Ukraine to the United Nations addressed to the Secretary-General

[Original: English]

## Communiqué of GUAM-Poland meeting

**Second meeting of the Council of Heads of State**
**Baku, 19 June 2007**

On 18 June 2007 in Baku, Republic of Azerbaijan, in the framework of the Second Summit of the Organization for Democracy and Economic Development – GUAM, the Council of the Heads of State held a meeting with H.E. Lech Aleksander Kaczynski, the President of the Republic of Poland.

Poland expressed its interest in promoting cooperation with GUAM, which has become a durable component of the European political architecture. GUAM welcomed this intention.

Poland resolutely supports GUAM's activity, perceiving it as an effective instrument of regional cooperation that enhances the realization of major multilateral projects and European aspirations declared by the Member States of the Organization. Poland fully endorses the guiding principles of GUAM as elaborated in its statutory documents: dedication to democratic values and the rule of law, mutually advantageous economic cooperation and striving for peaceful resolution of the protracted conflicts in the Republic of Azerbaijan, Georgia and the Republic of Moldova. Poland affirms its attachment to the principle of preserving the territorial integrity of these states within their internationally recognized borders in the process of final settlement of the conflicts.

The Participants, having considered the prospects of the GUAM-Poland cooperation, emphasized a special role of GUAM transit corridor bridging Asia and Europe, and outlined energy, transport, tourism and other spheres of their mutual interest. The Parties have agreed to cooperate in the field of training of diplomatic personnel. Poland has also pledged its backing for the intensification of cooperation between the GUAM Member States and the EU.

Both sides recognized benefits of launching sector cooperation as a long-term undertaking accelerating economic growth, boosting trade and consolidating good relations between GUAM and Poland.

**Annex IV to the letter dated 25 June 2007 from the Permanent Representatives of Azerbaijan, Georgia, Moldova and Ukraine to the United Nations addressed to the Secretary-General**

[Original: English]

## GUAM-United States joint statement

**Third meeting of the Council of Ministers of Foreign Affairs**
**Baku, 18 June 2007**

On 18 June 2007 in Baku, Azerbaijan, a regular GUAM-USA meeting was held within the framework of the second Summit of the Organization for Democracy and Economic Development – GUAM.

The United States reiterated its long-standing support to and interest in GUAM's further development as regional organization and its active contribution into international affairs. The United States reaffirmed its commitment to a peaceful settlement of the unresolved conflicts in the region. The United States reaffirmed its support for the territorial integrity of the GUAM States within their internationally recognized borders.

The US Delegation commended the GUAM efforts aimed at further developing a free trade area, strengthening effective interagency cooperation and providing assistance to the Member States in nuclear and radiological safety and implementing multimodal cargo transportation. The US Delegation also commended GUAM on efforts to implement European standards and practices within the GUAM Member States, and urged that these efforts continue.

The GUAM Member States reiterated their commitment to strengthen their cooperation in consolidating democracy, increasing security and deepening economic, scientific, humanitarian and cultural relations in the GUAM region.

The GUAM Ministers expressed their gratitude to the Government of the United States for providing technical and financial assistance to their Organization. The US side informed of its willingness to offer financial support at the initial phase of activity of newly established GUAM Secretariat.

The participants addressed the current state and prospects of the GUAM-US partnership. They noted with appreciation the progress achieved in advancing the GUAM-US Framework Program, namely the GUAM Virtual Center and Interstate Informational – Management System and Trade and Transport Facilitation projects and highlighted the importance of implementation of these projects. At the same time, the GUAM members underlined the efficiency of the GUAM Euro-Atlantic Advisory Team, sponsored by the United States that has proved to be

instrumental in assisting implementation of the GUAM-US Framework Program, and stressed the importance of its further operation. The Parties recognized the importance of the Virtual Law Enforcement Center (VLEC) project, and committed to realizing its potential and achieving its full utilization.

The parties reaffirmed their willingness to develop joint efforts with a view to strengthen cooperation in combating international terrorism, expanding Europe-Asia Trans-Caspian links, promoting energy security through diversification of energy supplies, developing infrastructure for natural gas and oil transportation and ensuring stable economic growth and irreversible character of democratic reforms.

The GUAM Member States and US expressed satisfaction with initiation of the dialogue with Japan that will bring mutually beneficial results.

The US welcomed the interest of GUAM Member States in further deepening cooperation with the European Union in fields of mutual interest and underlined importance of the EU support to GUAM projects.

The participants pledged to reinforce political dialogue and practical cooperation between GUAM and US. To this end, it was agreed to hold in the fall of 2007 high level expert discussions of the GUAM National Coordinators with the US State Department officials. In addition, the participants agreed to hold a GUAM-US Conference in Washington D.C. with senior GUAM and US government officials, which will review the current status of GUAM's affairs and priority and prospects of further GUAM-US cooperation.

The sides agreed to have a next GUAM-US meeting during the general debates of the 62nd session of the General Assembly of the United Nations in New York.

## Annex V to the letter dated 25 June 2007 from the Permanent Representatives of Azerbaijan, Georgia, Moldova and Ukraine to the United Nations addressed to the Secretary-General

[Original: English]

### Joint press statement
### GUAM-Japan meeting

**Third meeting of the Council of Ministers of Foreign Affairs**
**Baku, 18 June 2007**

1. On 18 June 2007 in Baku, Republic of Azerbaijan, the first Meeting between the Organization for Democracy and Economic Development – GUAM and Japan took place at the level of the GUAM Council of Ministers for Foreign Affairs and Mr. Mitoji Yabunaka, Deputy Minister for Foreign Affairs of Japan. The meeting was held in the framework of the Second Summit of the Organization for Democracy and Economic Development – GUAM in Baky on 18-19 June 2007.

2. The participants welcomed the first meeting between GUAM and Japan, which share the fundamental values such as democracy, freedom, human rights, the rule of law, including norms and principles of international law, and market economy. The participants expressed their desire to further enhance dialogue between GUAM and Japan and welcomed the "Arc of Freedom and Prosperity", the new pillar in Japanese diplomacy.

3. During the meeting, both sides touched upon the main topics of GUAM – Japan political dialogue, including initiatives in strengthening democracy, increasing security and stability, peaceful resolution of conflicts on the basis of the UN Security Council resolutions, developing civil society, as well as deepening mutual support within major international organizations.

4. The participants discussed cooperation in the sphere of economy. GUAM expressed its deep interest in investments of the Japanese side in priority areas of cooperation, including energy, transport, in particular corridor Europe – Asia through GUAM, and ecology. GUAM and Japan confirmed their intention to work towards business promotion and further improvement of the investment environments.

5. Taking note of the mutual interest in the spheres of energy and ecology, and the well-developed energy saving technology of Japan, the Japanese side proposed to organize a workshop in Tokyo on energy saving technology for officials and researchers of GUAM countries in 2007. GUAM countries expressed their appreciation and cooperation for the workshop.

6. GUAM and Japan also addressed the prospects of their cooperation in various humanitarian areas.

7. The participants highly appreciated the hospitality of the Azerbaijan authorities and decided to coordinate the date and venue of the next GUAM – Japan meeting at working levels.

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Security Council

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27 June 2007

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# Report of the Secretary-General on the status and progress of the negotiations on Western Sahara

## I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1754 (2007) of 30 April 2007, by which the Council called upon the parties to enter into negotiations without preconditions in good faith, taking into account the developments of the last months, with a view to achieving a just, lasting and mutually acceptable political solution, which would provide for the self-determination of the people of Western Sahara. In that resolution, the Council also requested the Secretary-General to provide a report by 30 June 2007 on the status and progress of those negotiations under his auspices, and expressed its intention to meet to receive and discuss that report. The present report covers developments since the issuance of my report dated 13 April 2007 (S/2007/202) and describes both the preliminary consultations and the status and progress of the negotiations.

## II. Activities of my Personal Envoy

2. Pursuant to Security Council resolution 1754 (2007), my Personal Envoy, Peter van Walsum, held preliminary discussions in New York separately with representatives of the two parties, Morocco and the Frente Polisario, and with those of the two neighbouring States, Algeria and Mauritania, in preparation for a meeting of the parties. During those consultations, my Personal Envoy listened to the concerns and positions of the parties and neighbouring countries with regard to the conduct of the negotiations, and the parties reiterated their will to enter into negotiations in good faith under my auspices.

3. In May and June 2007, my Personal Envoy also consulted the representatives of interested Member States, including France, the Russian Federation, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America, in New York, and briefly visited London, Madrid, Paris and Washington, D.C., for additional consultations. During those meetings, he sensed a commitment to maintaining the momentum towards a negotiating process and a willingness to provide political support and lend assistance in order to make the negotiations possible. It was also reiterated to him that the Security Council had consistently made it clear that it would not impose a solution to the question of Western Sahara, but that it was committed to assisting the parties in achieving a mutually acceptable

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political solution that would provide for the self-determination of the people of Western Sahara.

4. In a letter dated 25 May 2007, I invited the parties to send delegations to meet with my Personal Envoy, Mr. van Walsum, at the Greentree Estate in Manhasset, New York, on 18 and 19 June 2007. In my letter, it was specified that the discussions would be private. In similar letters, I invited Algeria and Mauritania to attend the Manhasset meeting as neighbouring countries.

5. The meeting took place at the Greentree Estate on 18 and 19 June, as planned. The parties held separate meetings with my Personal Envoy, as well as two sessions of face-to-face discussions, for the first time since direct talks had been held in London and Berlin in 2000. Representatives of the neighbouring countries, Algeria and Mauritania, were present at the opening and closing sessions and were consulted separately during the two-day meeting. In principle, they were also welcome to attend the joint meetings of the parties, but all delegations had accepted the understanding that when either of the parties preferred to meet without neighbouring countries, neither neighbouring country would participate.

6. The meeting was opened by the Under-Secretary-General for Political Affairs, Mr. B. Lynn Pascoe, who underlined that in the preparation of a process of negotiations, it was important to establish an atmosphere of good faith and mutual trust. He also appealed to the parties to exercise discretion and respect confidentiality; and urged all delegations to employ good judgement and refrain from using language that could inflame rather than support an environment conducive to fruitful negotiations. He reminded the meeting that the success or failure of the negotiations would ultimately be determined by the political will of the parties to resolve their differences through dialogue and compromise. The United Nations, through the good offices of the Secretary-General, was there to facilitate the discussions in every way possible; but it was the responsibility of the parties to forge a mutually acceptable solution.

7. In facilitating the negotiations, my Personal Envoy asked for an open and frank but nonetheless respectful discussion. During the discussions, the parties reiterated their commitment to the process and appeared determined not to be the cause of a breakdown of the negotiations. Although they both confirmed their respect for the principle of self-determination and accepted Security Council resolution 1754 (2007) as the mandate for the negotiations, their positions remained far apart on the definition of self-determination.

8. The parties agreed to the communiqué of my Personal Envoy, contained in the annex to this report. In his closing remarks, my Personal Envoy expressed his satisfaction at the positive atmosphere that had prevailed during the negotiations. He added, however, that a negotiation process could not be sustained by atmosphere alone.

9. I take this opportunity to express my appreciation to the Greentree Foundation for having made available the Greentree Estate as the venue for the meeting held on 18 and 19 June 2007.

## III. Observations and recommendations

10. In paragraphs 2 and 3 of its resolution 1754 (2007), the Security Council called upon the parties to enter into negotiations and requested me to set up those negotiations under my auspices. In addition to what I have reported on the status and progress of the negotiations in the preceding paragraphs, I am also pleased to inform the Council that a second round will begin on 10 August 2007.

11. In paragraph 3 of that resolution, the Security Council also invited Member States to lend appropriate assistance to the negotiations. Given the context, I assumed that the Council was thinking, in particular, of assistance in the setting up of the negotiations. In that respect, I can report that several Member States have offered facilities and expertise for that purpose, for which I wish to express my gratitude. All offers are currently being evaluated.

12. In a different context, however, there is at least one other area where appropriate assistance could be lent to the negotiations. I would like to recommend that the Security Council call on all Member States to lend assistance to the process by urging both parties to make every effort to maintain the momentum and to impress upon them that a final resolution of the conflict will require flexibility and sacrifice from both of them. In that context, the Frente Polisario could be asked to test Morocco's readiness to take part in serious, constructive negotiations by making concrete proposals to define, clarify or amend provisions in the proposal of Morocco, leaving the final status out of consideration at this stage. Morocco, on its side, could be asked to show a greater awareness of the complexity of the issue by not insisting that its acceptance of autonomy instead of integration is equivalent — in terms of sacrifice, for example — to a possible acceptance by the Frente Polisario of autonomy instead of independence.

13. If the negotiations are to lead to a positive outcome, both parties must recognize that the question of sovereignty is, and always has been, the main stumbling block in this dispute, and that it is in this highly sensitive area that a solution will need to be found.

## Annex

### Communiqué of the Personal Envoy of the Secretary-General for Western Sahara, agreed with the parties meeting at the Greentree Estate, Manhasset, New York, 19 June 2007

In accordance with Security Council resolution 1754 (2007) of 30 April 2007 on Western Sahara, the Secretary-General arranged for Morocco and the Frente Polisario to enter into negotiations, without preconditions, in good faith, taking into account the developments of the last months, with a view to achieving a just, lasting and mutually acceptable political solution, which would provide for the self-determination of the people of Western Sahara.

Under the Secretary-General's auspices, the meeting was held at the Greentree Estate in Manhasset, New York, on 18 and 19 June 2007, with the participation of the parties, Morocco and the Frente Polisario. Representatives of the neighbouring countries, Algeria and Mauritania, were also present at the opening and closing sessions and were consulted separately.

During the meeting, negotiations started as requested by Security Council resolution 1754 (2007). The parties have agreed that the process of negotiations will continue in Manhasset in the second week of August 2007.

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Security Council

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# Report of the Secretary-General on the status and progress of the negotiations on Western Sahara

## I. Introduction

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3. In May and June 2007, my Personal Envoy also consulted the representatives of interested Member States, including France, the Russian Federation, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America, in New York, and briefly visited London, Madrid, Paris and Washington, D.C., for additional consultations. During those meetings, he sensed a commitment to maintaining the momentum towards a negotiating process and a willingness to provide political support and lend assistance in order to make the negotiations possible. It was also reiterated to him that the Security Council had consistently

* Reissued for technical reasons.

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During the meeting, negotiations started as requested by Security Council resolution 1754 (2007). The parties have agreed that the process of negotiations will continue in Manhasset in the second week of August 2007.

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Security Council

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# Letter dated 27 June 2007 from the Permanent Representatives of South Africa and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

The Security Council and the African Union Peace and Security Council agreed, on 16 June in Addis Ababa, on a joint communiqué on improving cooperation between the two bodies (see annex). I would be grateful if the present letter and the attached communiqué could be circulated as a document of the Security Council.

(*Signed*) Dumisani Shadrack **Kumalo**
Permanent Representative of South Africa to the United Nations

(*Signed*) Emyr **Jones Parry**
Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations

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## Annex to the letter dated 27 June 2007 from the Permanent Representatives of South Africa and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

## Joint communiqué agreed by the Security Council and the African Union Peace and Security Council

1. Recalling that the Security Council has the primary responsibility for the maintenance of international peace and security;

2. Recalling the provisions of Chapter VIII of the Charter of the United Nations on the relationship with regional arrangements;

3. Recalling the mandate of the African Union Peace and Security Council with regard to the maintenance of peace and security in Africa, as provided for in the relevant provisions of the Protocol relating to the establishment of the Peace and Security Council of the African Union;

4. Recalling the presidential statements and decisions of the Security Council and Peace and Security Council on the relationship between the two bodies;

5. Recognizing the contribution made by the African Union, the regional economic communities and the United Nations in promoting peace in Africa;

6. Underlining the importance of support for the operationalization of the African Peace and Security Architecture and in this context encouraging the implementation of the 10-year programme for capacity-building between the United Nations Secretariat and the African Union Commission;

7. At our joint meeting here today, we commit ourselves to the development of a stronger and more structured relationship between the Security Council and the Peace and Security Council, inter alia, on conflict prevention, management and resolution, peacekeeping and peacebuilding, including post-conflict reconstruction and development, as well as sharing of information on conflict situations on the agendas of the two bodies.

8. We express our support for the strengthening of African Union capacity within the Commission in all relevant areas, such as planning and logistics, and in particular the establishment of a well-resourced peacekeeping capability, as well as in the fields of conflict prevention, management and resolution.

9. We attach particular importance to the development of the African standby force.

10. We agree to consider, including on the basis of the forthcoming report from the Secretary-General, the modalities for supporting and improving in a sustained way the resource base and capacity of the African Union. In doing so, we will bear in mind that in taking initiatives for the promotion of peace and security in Africa in terms of Chapter VIII of the Charter of the United Nations, the African Union is also acting on behalf of the international community, and we will examine the possibility of the financing of a peacekeeping operation undertaken by the African Union or under its authority, as requested in the

decision of the African Union Assembly of Heads of State and Government (Assembly/AU/Dec. 145 (VIII)).

11. We agree to strengthen the relationship between all the relevant structures of the Security Council and the Peace and Security Council, including their subsidiary bodies.

12. We agree to hold joint meetings between the Security Council and the Peace and Security Council, at least once a year, either in Addis Ababa or New York.

13. We express support for closer cooperation between the United Nations Secretariat and the African Union Commission, particularly on conflict prevention, peacekeeping and peacebuilding.

14. We encourage the sharing of experiences on working methods between the two bodies.

15. We encourage close consultations between the African Union and the Security Council as decisions are being prepared on issues affecting peace and security in Africa.

16. To further our relationship, we will consider how best to improve the effectiveness of African Union and United Nations peace efforts in Africa and how to strengthen coordination between the African Union and the United Nations. We look forward to further joint consideration at our next meeting.

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General Assembly
Security Council

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28 June 2007

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**General Assembly**
**Tenth emergency special session**
Agenda item 5
**Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory**

**Security Council**
**Sixty-second year**

## Identical letters dated 27 June 2007 from the Charge d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

It is my regret to inform you that Israel, the occupying Power, has intensified its deadly military campaign against the Palestinian civilian population in the Occupied Palestinian Territory, killing and wounding more civilians and causing more widespread destruction. In military attacks carried out today, the Israeli occupying forces killed at least 12 Palestinians, including 3 children, and wounded at least 50 other Palestinians. These illegal actions by the occupying Power constitute grave breaches of the Geneva Convention relative to the Protection of Civilian Persons in Time of War.

While the Israeli Government purports to be seeking ways to reduce tension and resume dialogue, the reality on the ground is that the Israeli occupying forces have not for one day ceased the use of excessive and deadly force against the Palestinian civilian population and continue to carry out military assaults, raids and arrest campaigns throughout the Occupied Palestinian Territory. In addition to all other incessant, illegal Israeli policies and practices, the continuation of this violent military campaign is severely exacerbating the already grave situation on the ground in all its aspects.

Today, Israel, the occupying Power, carried out numerous military attacks against towns, in the Gaza Strip in particular, further devastating, traumatizing and terrorizing the helpless and defenceless Palestinian civilian population in this suffocated and impoverished area of the Occupied Palestinian Territory early this morning. Israeli troops in tanks, armoured vehicles and bulldozers, backed at some points by helicopter gunships, raided the northern Gaza Strip in areas in and around Gaza City and the southern Gaza Strip in areas in and around Khan Younis, killing civilians and causing extensive destruction to civilian property, infrastructure and agricultural lands.

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In the Shoja'eh neighbourhood of Gaza City, the Israeli occupying forces fired tank artillery at a home, instantly killing four people, including a 12-year-old boy, Nadeem Sa'eed Jundiyeh, and two brothers, Youssef Al-Manasra, aged 18, and Sami Al-Manasra, aged 28. Another child, Ahmad Hillis, aged 16, was also killed by the occupying forces in the attack on that densely populated neighbourhood. In a raid on the town of Khoza'a, which is located to the east of Khan Younis, the Israeli occupying forces killed two Palestinians and wounded dozens of others and stormed several homes, occupying them and taking their residents hostage, while carrying out a massive arrest campaign that resulted in the illegal arrest of at least 200 more Palestinians. These attacks followed an Israeli air strike that was carried out on Sunday against a car in Gaza City, which resulted in the killing of a Palestinian man, Hossam Khaled Harb, aged 32. At the same time, the occupying forces have also been carrying out raids in the Nablus and Jenin areas, including in the Balata refugee camp, and have arrested numerous other Palestinians throughout the West Bank in recent days.

Palestinian President Mahmoud Abbas has strongly condemned these crimes committed by Israel against the Palestinian people. Such brutality and lawlessness by Israel, the occupying Power, has been the cause of daily death and destruction and compounded the suffering of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem. Moreover, in addition to escalating tensions and further fuelling the cycle of violence, these illegal Israeli policies and practices inevitably deepen and worsen the dire humanitarian conditions being experienced by the Palestinian civilian population. In this regard, several reports indicated that a humanitarian and health disaster is impending if Israel, the occupying Power, does not take immediate measures to open border crossings in to and out of the Gaza Strip to allow for the entry of much-needed food, medical and sanitation supplies and humanitarian supplies and humanitarian personnel.

We urge the international community, including the Security Council, to give this very grave situation serious attention. Action needs to be taken by the international community to compel Israel, the occupying Power, to immediately cease its illegal policies and practices against the Palestinian people. The occupying Power must abide by its legal obligations under international law, including humanitarian and human rights law, in all of its actions towards the civilian population under its occupation and must be held accountable for any and all violations and breaches committed in that regard. To allow Israel to continue acting with such total contempt for international law will only embolden it and further dampen the prospects for any improvement of the situation on the ground and any progress aimed at a genuine resumption of dialogue and the peace process.

The present letter is in follow-up to our previous 285 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 20 June 2007 (A/ES-10/388-S/2007/373), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

In follow-up to the above-mentioned letters, it is my profound regret to inform you that, since 20 June 2007, at least 15 more Palestinian civilians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 4,590. (The names of the martyrs that have been identified are listed in the annex to the present letter.)

I should be grateful if you would arrange to have the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda Abdelhady **Nasser**
Chargé d'affaires a.i.

## Annex to the identical letters dated 27 June 2007 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

## Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (From Friday, 22 June 2007, to Wednesday, 27 June 2007)

**Friday, 22 June 2007**

1. Shadi Rajeh Al-Matoor

**Sunday, 24 June 2007**

2. Hossam Khaled Harb

**Wednesday, 27 June 2007**

3. Ali Hillis
4. Nafez Hillis
5. Ahmad Hillis (16)
6. Ra'ed Fannoona
7. Anan Al-Ara'eer
8. Hazem Ziyad Jundiyeh
9. Nadeem Sa'eed Jundiyeh (12)
10. Sami Abbas Al-Manasra
11. Youssef Abbas Al-Manasra (18)
12. Dia' Mohammad Abu Daqqa
13. Hossam Abu To'aima
14. Youssef Khaled Joha
15. Zakariya Al-Titr

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* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 4,590.